

Summer 2009

Richmond Law Magazine: Summer 2009

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How Much Does Law Matter?

Seeking Dignity

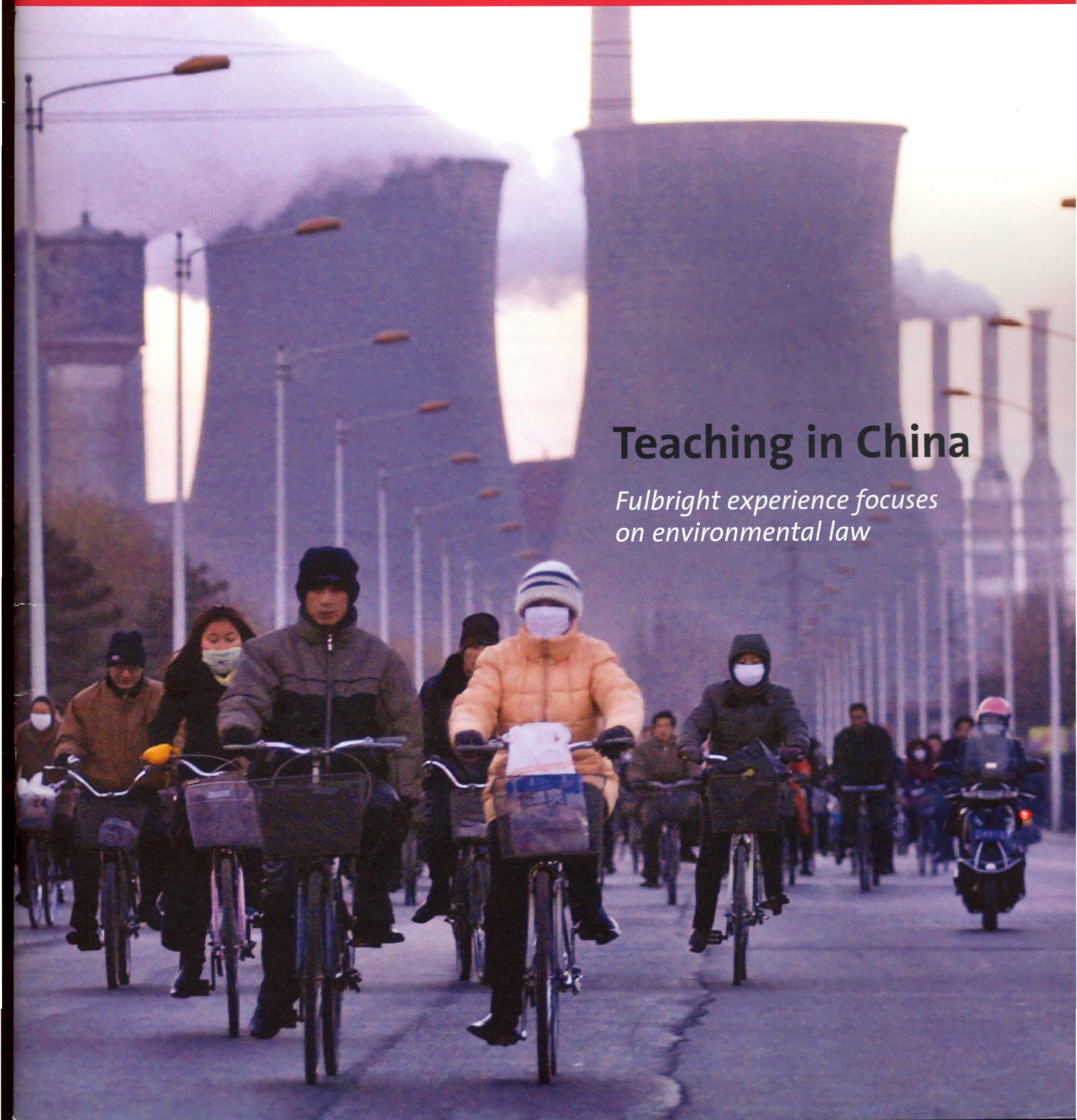
A Dream Deferred

RICHMOND LAW

The University of Richmond School of Law Alumni Magazine • Summer 2009

Teaching in China

*Fulbright experience focuses
on environmental law*



Dean's letter

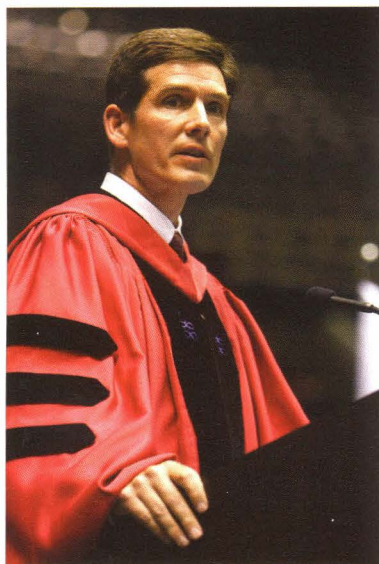
Learning through service: across town and around the globe

In keeping with the Law School's tradition of service, our faculty and students continue to demonstrate a remarkable capacity to combine learning opportunities with community engagement. Much of that work

occurs right here in the opportunity-rich city where we live and work. And today, far beyond the Richmond city limits, we are pursuing an increasing range of opportunities to teach and to learn through engagement with a global community.

In the last issue of *Richmond Law*, we highlighted the Law School's engagement in the Richmond community with a feature about the opening of our UR Downtown location. Now, just a few months later, UR Downtown is a crossroads of activity. The Law School's Jeanette Lipman Family Law Clinic and the Harry L. Carrico Center for Pro Bono Service are up and running, offering our students a wide range of opportunities to develop professional skills while

providing critically needed services to clients. In those same months we paid tribute to Bob Shepherd's lifetime of service as a teacher and role model for our students, and as a tireless advocate on behalf of Virginia's children in courts and in the legislature. We also celebrated a new generation of service when Miriam Sincell, L'og, was selected by the Virginia State Bar to receive the Oliver White Hill Law Student Pro Bono Award, which singles out one law student in the



Commonwealth for unparalleled commitment to pro bono work and community service.

The current issue of *Richmond Law* highlights the service of two of our faculty members in the broader global community. Professor Azizah al-Hibri secured a grant from the Bill and Melinda Gates Foundation to support the work of Karamah, an international human rights organization. Under Professor al-Hibri's guidance, Karamah has become a leading international voice for women's rights in the Muslim world. Richmond law students have been her partners in learning and service from Karamah's inception. Professor Joel Eisen spent the spring semester in China on a Fulbright grant. There he taught courses on environmental law and energy policy to Chinese law students and consulted with Chinese scholars and government officials on the issue of global warming, all the while staying connected to Richmond students through his very active blog.

Whether across town or around the globe, our faculty and students are finding increasingly creative ways to teach and to learn while offering much needed service to the community beyond our university campus. I know you'll enjoy reading their stories in the pages that follow.

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Cover
Factory workers going home at the end of the day at the Baotou Iron and Steel factory in northern China.

Photo by Natalie Behring

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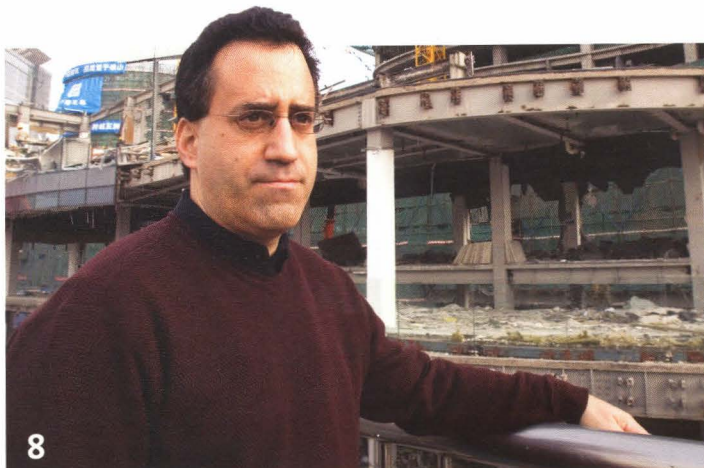
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FOR THE RECORD

A look at the people, events, and issues making news at the Law School



Klau encourages innovation, passion

Rick Klau, L'96, never worked as an attorney, but he still has a passion for the law. Klau, business product manager for Blogger at Google Inc., told the Law School's 155 newest graduates that being passionate about what you do is of utmost importance.

"I've never known where the path in front of me was leading, but my passion guided me—through challenges as well as successes," Klau said.

His work at Google has shown him that people will soon have access to almost any information they want. "It will change how lawyers perceive themselves; it will change how the law reacts to fundamental principles like privacy, community and intellectual property, and it will change the nature of how clients interact with their lawyers," he said.

Innovation "will certainly accelerate change within the legal profession, and those of you who shape the change that's coming must be passionate about it and must understand the forces at work so that you can guide the law to where it needs to go," he said.

Student speaker Jeff Hanna of Southport, Conn., told his classmates that they should reflect on the word "justice."

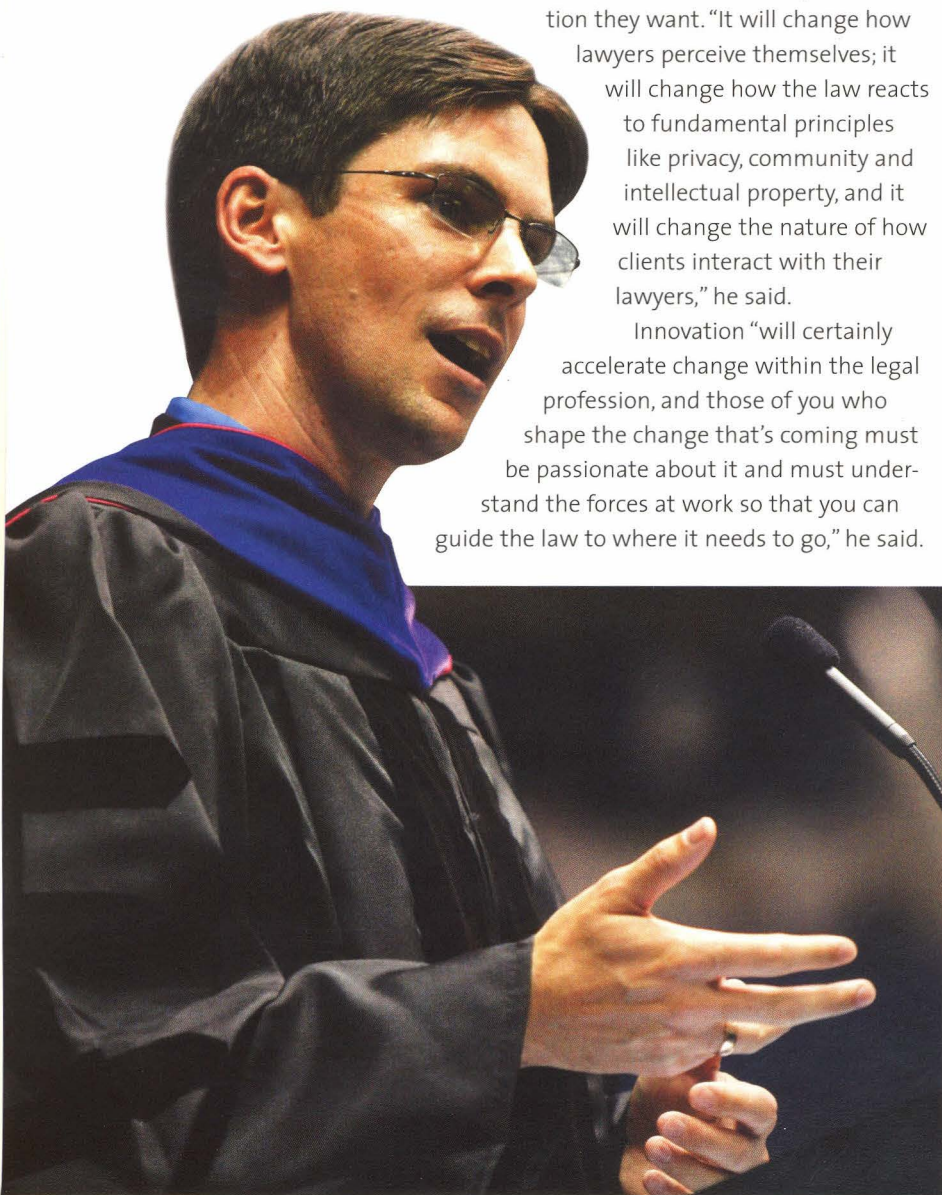
"Let our diplomas remind us of our role in society," he said. As lawyers, "We should never breach the trust of clients, family or friends."

Jessica Erickson, faculty speaker, advised graduates to focus on the early years of their careers and find "what about the law speaks to you." Finding the way will take trial and error, but "you have time on your side. Watch for opportunities."

Jonathan Moore of Chester, Va., and Molly Geissenhainer of Pasadena, Md., received the T.C. Williams Law School Scholarship Award, presented for significant contributions to legal scholarship.

Chelsea Dunn of Lynchburg, Va., won the Nina R. Kestin Service Award, presented to the graduate who has contributed most significantly to the school, the community and the legal profession. The faculty selected Jonathan Goodrich of Williamsburg, Va., as winner of the Charles T. Norman Award as the best all-around graduating student.

Miriam Sincell of Oakland, Md., was chosen by the faculty to receive the Public Interest Law Association Pro Bono Award for her extraordinary commitment to public interest work.



Rick Klau (far left) and Jeff Hanna (top) speak to new graduates.



Foster care's end can lead to fight for survival

For young people aging out of foster care, success has always been a challenge. In today's tough economy, "their focus often is on survival," said Jacqueline Cowan, independent living coordinator from Chesterfield-Colonial Heights.

With those issues at the forefront, the Greater Richmond Housing Summit: Youth Aging Out of Foster Care, convened March 27. The program, which was sponsored by the University, the Freddie Mac Foundation, and FACES of Virginia Families, was moved from the University's Downtown Center to a nearby hotel to accommodate the crowd. The large turnout, planners said, is symptomatic of how the economic downturn affects those already at risk.

"This is an opportunity for us not just to talk about the problems but to start developing solutions," said Dale Margolin, director of the Law School's Family Law Clinic.

Of the 30,000 people who age out of foster care in the United States each year, 65 percent will become homeless, 62 percent unemployed, 70 percent have no high school diploma or GED, and half the young women are pregnant by age 19, Margolin said.

The summit featured reports on programs across the nation that are helping young people with a combination of housing assistance, job training, life skills assistance, and building support networks.

But the most moving testimony came from the opening panel that featured Elijah Gee and La Von Travelle who grew up in foster care and have struggled since moving out.

Gee, 18, whose mother was a drug addict, did not know when he first went to a foster home because he was so young. He was "kicked out" of his last placement for being "hard headed," he said. He had 24 hours notice, no job, no place to stay, no transportation, no one to turn to.

Today, he moves from place to place, staying with friends as long as they will have him. "I'm scrambling, trying to find a way to eat," he said. His goal in life: "To live comfortably." His greatest strength: "My will to live."

Travelle, 24, was put out of foster care at 18 — "another problem child" — and soon fell for a man who seemed nice and had a good job. She was pregnant with their third child when she left him, she said, as a result of domestic abuse. "I had nowhere to go."

Her routine now includes calling housing agencies so often that the workers know her voice.

Her goals include finding a job with a software company, moving into a safe place with a back yard where her girls can play, and ensuring that her children never have to live in foster care. Her greatest strength: "Persistence."

While most states still discharge people from foster care at 18, there is movement toward keeping more until 21, said Dr. Amy Dworsky, researcher at the University of Chicago's Chapin Hall Center. Those later years should include guidance in learning work and life skills, as well as housing assistance, speakers agreed.

Other sessions focused on discussions of housing programs and problems in greater Richmond, on self-advocacy for young people in foster care who are likely to face housing challenges, and on priorities for helping aged-out youth.



La Von Travelle

AWARD

Swisher honored for lifetime's work



Peter Swisher

The Virginia State Bar Family Law Section recently presented its Lifetime Achievement Award to Professor Peter Swisher, a member of the Law School faculty since 1974.

Swisher "has built a career of remarkable achievement as a family law teacher, scholar and advocate in Virginia and across the nation," Dean John G. Douglass said.

Swisher is known to a generation of UR law students as a devoted teacher and mentor.

He has authored numerous books and articles in the family law field, including the widely used *Virginia Family Law: Theory and Practice*.

For almost a decade, he was editor of the *Virginia Family Law News*, a quarterly publication of the Virginia State Bar's Family Law Section, and he served on the Family Law Section Board of Governors for 12 years.

Swisher is a past chair of the Association of American Law Schools' Family and Juvenile Law Section, a past member of the Virginia Bar Association's Family Law Coalition, and a founding director of the Law School's National Center For Family Law. He serves as Reporter for Civil Cases for the Virginia Court of Appeals.

AWARD

Hodges earns University award



Ann C. Hodges

Ann C. Hodges, whose work has aided thousands of families struggling with cancer, has been awarded the University's Distinguished Educator Award for 2009.

The award citation recognizes Hodges for her "exceptional innovation in the classroom, exemplary integration of teaching and scholarship, extraordinary commitment to community service, and remarkable ability to foster in students a lifelong sense of social responsibility."

Hodges joined the Law School faculty in 1988, and was promoted to professor in 1994. She has taught labor law, employment discrimination, employment law, labor arbitration, public sector labor and employment law, feminist legal theory, and non-profit organizations.

She is known nationally as co-founder, with Phyllis C. Katz, L'82, of the Legal Information Network for Cancer. LINC is a non profit, community-based organization dedicated to helping people with cancer and their families deal with business and legal issues that arise as a result of cancer. It has served more than 4,000 cancer patients.

An active scholar, adviser to numerous student groups, Hodges' nomination drew letters from colleagues and students, past and present, describing her leadership, innovation, heart, and passion, and noting her advocacy on behalf of society's most vulnerable members.

Hill Award caps state bar pro bono conference

Miriam Sincell, who graduated from the Law School this May, was presented the Oliver White Hill Law Student Pro Bono Award by the Virginia State Bar. Sincell was honored during the bar's Pro Bono Conference in April.

The award, which is named in honor of the civil rights litigator, recognizes Sincell's "extraordinary pro bono and other public service" during her career at Richmond, according to a statement from the bar. It was presented at a ceremony at the Lewis Ginter Botanical Gardens. Oliver W. Hill Jr. was among those attending.

Tara L. Casey, director of the Harry L. Carrico Center for Pro Bono Service at the Law School, introduced Sincell. When she came to Richmond in 2007 and began discussing plans for the center, Casey said, everyone told her she needed to talk to Sincell.

"She was already a leader in the community in the field of public service," Casey said, "and most of that she had undertaken on her own initiative."

Sincell, Casey said, "reflects the best of what a law student can be."

A resident of Oakland, Md., Sincell has led efforts under the Child Health

Advocacy Program to recruit other law students to the program, and to educate medical students about legal issues. The bar also acknowledged Sincell's "vision and obvious passion for justice via law reform activities," and her intention to become a public interest lawyer after graduation.

While at Richmond, Sincell led the revitalization of the Law School's Street Law Program. She has volunteered countless hours with the Housing Law Program, the Angel Tree project, and the Legal Aid Justice Center.

The conference's theme was "Coming Home in Lean Times: Addressing Legal Needs of Warriors and Ex-Offenders." It focused on legal and social issues that affect the re-entry into society of veterans and ex-offenders. Public interest attorneys, pro bono volunteers, and members of social service organizations convened at the Downtown Center.

Terrorism symposium focuses on complex legal, moral issues

Legal scholars, practitioners and professors gathered at the University in April to present perspectives on the complex legal and moral challenges that have been posed by the global war on terrorism.



Tara L. Casey, Miriam Sincell and Oliver Hill Jr.



Nathan Sales (left) and Tung Yin at terrorism symposium.

The program titled "Detaining Suspected Terrorists: Past, Present and Future," was the annual Allen Chair Symposium presented by the *University of Richmond Law Review*.

Panelists discussed where terrorists belong in a complex and sometimes conflicting realm of legal systems. Are they military prisoners or are they criminals? How do we distinguish between those picked up on the battlefield and those rounded up in places far from war zones? How might U.S. citizens be treated differently from foreigners? What rules, laws, conventions govern the detention and prosecution of suspects? And how might laws and practices designed to catch prospective terrorists impinge on the rights of innocent people?

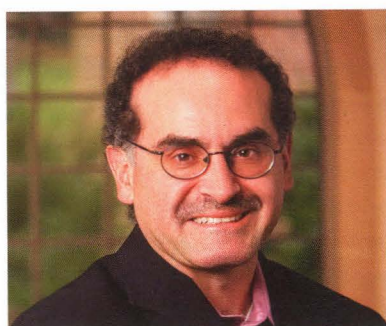
While panelists at the symposium often disagreed, many said that Congress has failed to provide statutory guidance, leaving these questions in the hands of courts. The results have been inconsistent.

Panelists included Stephen Vladeck, from American University's Washington College of Law, Benjamin J. Priester from Florida Coastal School of Law, Tung Yin of the University of Iowa College of Law, Nathan Sales of George Mason University School of Law, Kyndra Rotunda of Chapman University School of Law, and Kristine Huskey of the University of Texas School of Law.

Immigration, recession create new demands

A wave of immigration, concerns about terrorism, and the deepening recession have increased demand for lawyers working on workplace and immigration issues, said Victor Narro, L'91.

Narro, director of the UCLA Downtown Labor Center, returned to campus in March to offer insights into



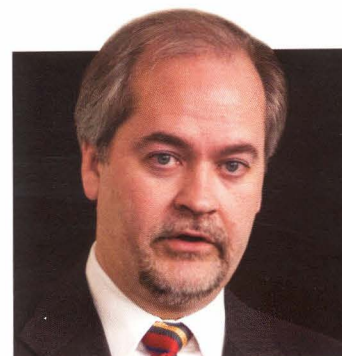
Victor Narro

these interconnected issues, as well as suggestions about job opportunities in related fields.

Narro met with students in the Career Services office, and conducted luncheon programs on immigration and public interest law. He also met with lawyers from the Williams Mullen firm who work on immigration issues and with students who work through the Harry L. Carrico Center for Pro Bono Service.

SPEAKER

On environment, some wins, some losses



L. Preston Bryant

L. Preston Bryant, Virginia's Secretary of Natural Resources, has helped his boss, Gov. Timothy M. Kaine, overcome tight budgets to protect the state's environment. It's a global task, he said in a talk at UR Downtown co-sponsored by the Law School and the Richmond Bar Association's Environmental Law Section.

Bryant, G'88, drove home the dangers of pollutants spewed from coal-fired electrical plants and motor vehicles. Virginia alone generates more greenhouse gases each year than Egypt, Greece, or Pakistan, he said, so "what states do can be globally significant."

Bryant served as a Republican member of the House of Delegates until Kaine tapped him in 2006 as his Secretary of Natural Resources.

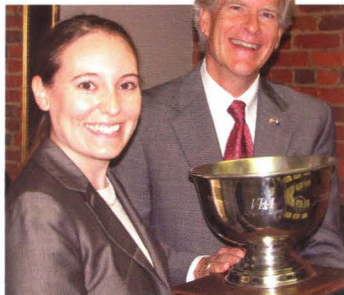
He said Kaine's Commission on Climate Change made ambitious recommendations without saddling future governors with unreasonable goals.

During his address, he described the balancing act of trying to promote conservation and energy savings, while still allowing for industrial expansion.

"The best way to generate energy cheaply," he said, "is to conserve it."

OUTREACH

Law School wins 'Legal Food Frenzy'



Laurel Huerkamp and Virginia Attorney General Bill Mims

The University of Richmond School of Law raised more food than any other state law school this year in the Attorney General's Legal Food Frenzy. Law School alumni at the firm Schettine & Nguyen, for the second year in a row, won the Attorney General's Cup for raising the most food per capita among more than 200 firms in the competition.

Overall, the drive generated 1.6 million pounds of food for the state's food banks, up 300,000 pounds from last year. The Law School brought in 37,584 pounds of food, more than 85 pounds per person. SuperValu dramatically aided the Law School effort, donating a truckload of food and a \$500 prize for a competition among law classes. (The 2L's won and donated the prize to the food drive.) Laurel Huerkamp, 2L, was student coordinator for the Food Frenzy on campus. She accepted the trophy on behalf of the Law School from Attorney General Bill Mims at a May luncheon.

The Schettine & Nguyen firm, headed by Nhon Nguyen, L'04, Angela Schettine, L'01, and James Schettine, '01 and L'04, raised 8,141 pounds per person.

Narro, a lecturer at the UCLA Chicano Studies Department and the UCLA School of Law, has been recognized by numerous organizations for his work on behalf of immigrants and workers.

He called for a more humane approach to immigrants who often take low-end jobs. "They have come here for the same reason people always came here," he said. "They want a better way of life."

Thousands of people in the U.S. today who are graduating from high school, college, medical school, and law school were brought here illegally as children, he said. They consider the United States to be home and are prepared to contribute.

More lawyers are considering public interest law as the private sector job market has tightened, Narro said, and public interest work is expanding to include more research, organizing, planning, and policy making, as well as handling individual cases.

Green Award honors Professor Shepherd

Robert E. Shepherd Jr., professor emeritus, was honored posthumously in March with the William Green Award for Professional Excellence, the Law School's highest honor. He is the first full-time faculty member to receive the award.

Shepherd died in December after a battle with cancer.

At a luncheon gathering at the Jepson Alumni Center, speakers recounted Shepherd's record as a scholar, teacher, mentor, and sought-after expert in fields related to juvenile justice and family law. The celebration was equal parts laughter and praise as friends and colleagues spoke of Shepherd's role in drafting laws in Virginia and across the nation, and of a legacy that lives in the law books and the deeds of former students who work today as judges, lawyers, legislators, and professors.

"Once you were in Bob's orbit, you

never left," said Johanna L. Fitzpatrick, retired chief judge of the Court of Appeals of Virginia. "He was a guy you could count on, who appreciated the opportunity to do the things he loved."

In addition to the Green Award, the Virginia State Bar Criminal Law Section presented a portrait of Shepherd to the Law School, which was accepted by his wife, Nancy, and children, Sharon and Rob.

The National Center for Family Law at Richmond is raising money to endow the Robert E. Shepherd Jr. Fellowship Fund to further Shepherd's work.

Kimberly Dale named development director

Kimberly Bowers Dale, who was appointed by Gov. Timothy M. Kaine to be director of gubernatorial appointments, has been named major gifts officer at the University of Richmond School of Law. She began work this spring.



Kimberly Bowers Dale

A Portsmouth native, Dale is a 2005 graduate of the University of Richmond with an undergraduate degree in political science and a minor in leadership studies. She is pursuing a master's degree in public administration at Virginia Commonwealth University.

Dale first worked for Kaine as a finance intern while he was lieutenant governor and she was at UR. Upon graduating, she served as undergraduate admissions counselor at the University. She then worked for Harris Miller in his unsuccessful campaign for the Democratic nomina-

tion for U.S. Senate in Virginia.

Beginning in 2006, Dale served as deputy finance director for the O'Malley-Brown campaign in Maryland that resulted in the election of Martin O'Malley as governor and Anthony Brown as lieutenant governor.

Dale has worked on a variety of community service activities in the Richmond community, including the CenterStage Associates board, the Venture Richmond marketing committee, the Cade Foundation board, and Alpha Kappa Alpha sorority.

The development job at the Law School, Dale said, "Is a perfect meshing of my interests and passions. I've had a passion for the University from my undergraduate days, and I am very interested in politics and fundraising."

Dale recently married Anthony Dale, a fiscal analyst who works for Richmond City Council.

Activist speaks on adoption

The Hispanic Law Students Association at the Law School and WILL sponsored the April 8 appearance of a Guatemalan attorney before an undergraduate class at the University.

Claudia Lucrecia Rivera Meza, who has spent the last 10 years fighting for the rights of children through the NGO Casa Alianza, spoke about her work. She has promoted legislation that benefits Guatemalan children and works for adoption laws for Guatemala in keeping with The Hague Convention on Inter-country Adoptions. She has appeared before the Court of Guatemala and numerous international bodies in support of laws and agreements aimed at ending violence against children, improper trafficking in children, and sexual exploitation.

Alejandra Zapatero of HLSA introduced Meza who presented information on the unusually high number of international adoptions that were taking place in



Protecting Guatemalan children.

Guatemala before the laws were changed. Some children were abducted, and families had little power to get them back. With Casa Alianza taking the lead, Guatemala eventually passed new adoption laws.

Her appearance was part of the WILL Colloquium: Gender, Race, and Activism.

Law School joins Drive to Work program

The Law School's Harry F. Carrico Center for Pro Bono Service is participating in Drive To Work, a Virginia non-profit program that helps qualifying low-income, previously incarcerated individuals recover their driving privileges, which often are essential to getting and holding a job.

Under the program, attorneys, with assistance from law students, provide legal and other services without charge, except for administrative fees. Law students assist with client intake and communication, legal research, and document drafting.

Drive to Work has cooperative agreements with the Virginia Department of Motor Vehicles and related state and private agencies. McGuireWoods and Dominion are corporate sponsors.

The Carrico center now operates from offices in the University of Richmond Downtown center.

WORKSHOP

IP Institute takes discussion online



Law professors like to get together and discuss each other's draft papers, but sometimes distance and cost limit participation. So the faculty at the Law School's Intellectual Property Institute decided to bring the practice into the Internet age.

"The idea started with professor Chris Cotropia," said Jim Gibson, the IP Institute's director. "He asked why we couldn't get together online instead of in person. None of us had a good answer."

The result was a "Virtual Workshop." The IP faculty selects a draft paper, recruits two scholars to comment on it, and then "opens up the floor" for discussion from other experts. "The only difference is that all the collaboration takes place on a specially designed Web site," said Gibson, "which means we can get much broader participation than if we did it in person."

The inaugural workshop took place in April and featured a paper by Joe Miller, a professor at Lewis & Clark Law School, with official comments from professors at DePaul University College of Law and Benjamin N. Cardozo School of Law. The faculty plans to host a new paper at least once a semester.





Teaching in China

Fulbright experience focuses on environmental law

By Joel B. Eisen • Photography by Natalie Behring

“So,” I asked a Chinese law student one afternoon in class, “should China adopt binding controls on greenhouse gas emissions in the Copenhagen negotiations?” The chance to ask that question *in China* at a time of major interest in global warming was just one of the many things that made my five months as a Fulbright professor at the China University of Political Science and Law (CUPL) in Beijing a richly rewarding experience.

China is transforming at a breathtaking pace. Beijing has six “ring roads” and more office space than many Richmonds combined. In *The Last Days of Old Beijing*, Michael Meyer says the city bird should be the construction crane, and from my apartment balcony I could see five skyscrapers going up nearby. New vehicles are selling rapidly, which was readily apparent after spending hours in thick Beijing traffic. The advice from Fulbrighters to avoid riding a bicycle in the city was prescient. It would have been quite dangerous to do so.

Teaching at CUPL was a challenge from the start, as Chinese universities wait until the last minute to do a lot of logistics. Flexibility is key. I did not know what rooms I was teaching in or whether they had computers until just before classes started. I taught two courses to graduate law students: Energy Law and International Environmental Law. The second of these was mandatory for CUPL students majoring in Environmental Law. I was asked to teach the course on the Friday before classes started in place of one I had planned to teach.

There were interesting administrative challenges. I had no student list until my student monitor for the course created one. One student was shocked to discover that American law students register months ahead of time. Chinese students decide on courses two weeks into the semester. Needless to say, this

made enrollments extremely fluid at the start, and I appreciated the Fulbright program's suggestion to put off handing out course materials until the third week.

The level of English in class was good, and students made up in enthusiasm what they lacked in speaking ability. At our Fulbright orientation sessions, we had been counseled to avoid Socratic instruction because getting Chinese students involved in class discussions would be a challenge. I found to the contrary that my students were active participants.

Preparing for class was more difficult than at home because English was the students' second language. Their preparation for class, however, was not an issue. I posted PowerPoint presentations in the morning before classes, and often found them printed out and annotated on desks when I arrived.

As the opening question suggests, I had classroom experiences one can only dream of at home. A discussion of U.S. public utility regulation led to a spirited exchange contrasting it with China's state control of vital enterprises. We had lively discussions about global warming, and students knew that China's tremendous growth comes at a steep environmental price. Beijing's air quality improved as a result of measures taken for the 2008 Olympics, but

there has been backsliding, and many days featured pea soup pollution. China's greenhouse gas emissions have grown dramatically, and if China does not commit to binding emissions reductions, "whatever the rest of the world does will be swamped by China's carbon juggernaut," according to the respected blog *Climate Progress*.

I had many opportunities to discuss China's environmental policies in the classroom. One day, I asked students to react to a government official who said "the carbon produced by China as a result of making products for export, should be credited to the importing nation and not carried on China's books." While students avoided criticizing their government, several stated that good arguments could be made against this position. One made a sophisticated argument that this would require a complex and almost unworkable system of tracking world trading patterns. I was impressed.

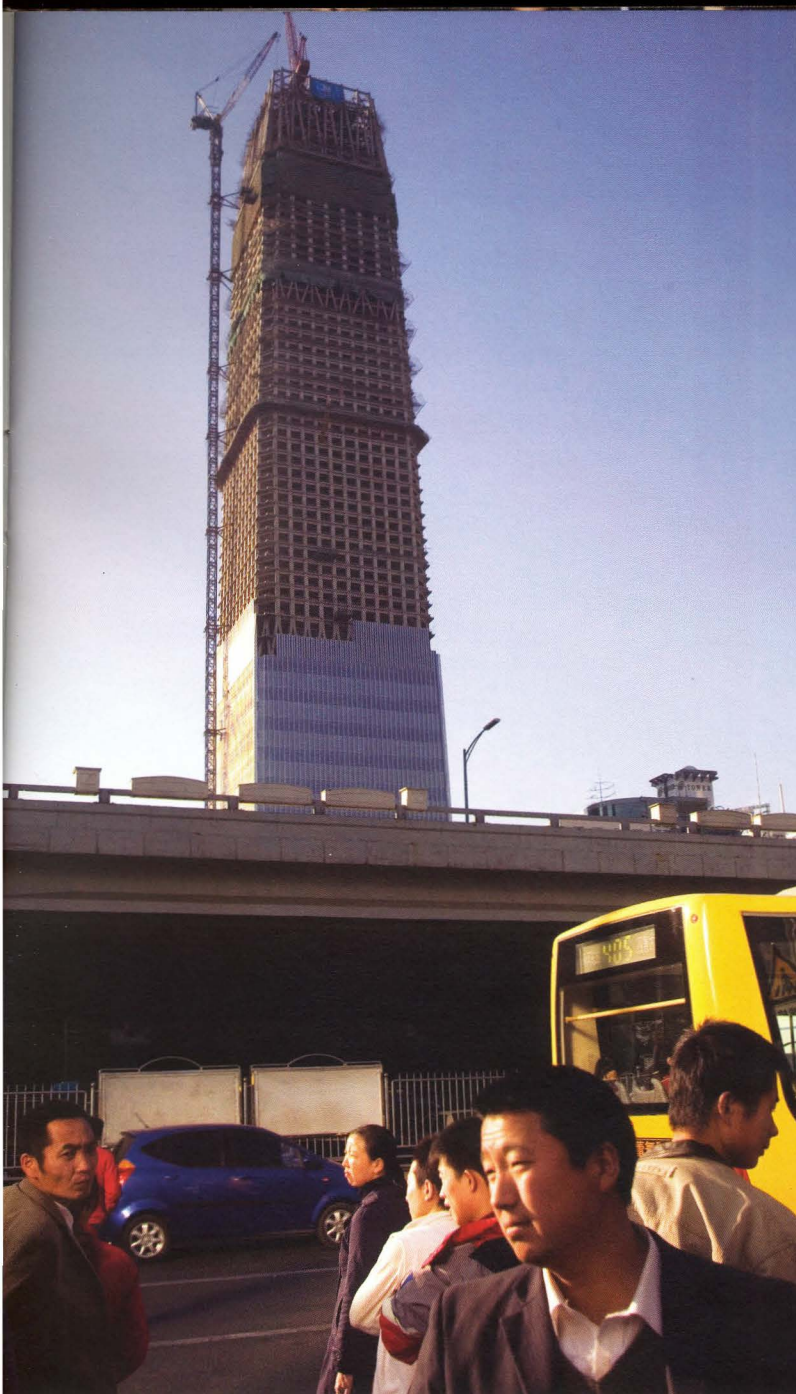
In the International Environmental Law course, I conducted an exercise with teams of students representing individual nations seeking to reach an international climate agreement. Aspects of this—role-playing, advocating for nations other than their own, and direct in-class negotiations—were obviously new territory for the students, but they rose to the occasion. They were often zealous advocates for the nations they represented, even if it sometimes meant taking positions that appeared to contradict their own beliefs. One day, students representing the United States took those representing China to task for the Chinese government's intransigence on climate change, criticizing the government's position that China is a "developing nation" that need not agree to carbon caps. If I expected my students to engage in mindless repetition of the Communist Party of China's positions, it was not in evidence that day.

Interacting with Chinese students involved more than teaching. Some were enthusiastic about studying law in the United States. After one lecture to undergraduates, students asked questions for another hour about applying to American law schools. From research they had done on the Internet, they were savvy about programs. One day, a student who had done well on the LSAT reeled off a list of schools that seemed to be a good match to his credentials. I often asked students about their interest in American law, and they often responded that our legal system is a model for the rest of the world. The day I distributed hornbooks on energy law to my students, one asked for tort and contract hornbooks because they "summarize well what we in China should know."

There is already considerable student exchange



Eisen discusses the Charles River Bridge case with students who proved to be active participants in discussions.



in both directions. One student was an American 2L spending a semester in Beijing. Two Chinese students left in mid-May to take part in the Vermont Law School's renowned summer environmental law program. (As the CUPL semester ended in late June, this made grading interesting. Just another way in which I found myself pining for my school's organized nature.) Still another had spent a summer in the United States studying environmental law.

What had they taken away from this experience? Plenty, it seems. I asked a student how she thought the Chinese environmental law system was different from ours. She held forth on the American administrative law system in a fashion that would make any Richmond law student proud. Once, I referred to the "equity principle" of international environmental

law, and a student remarked about its similarity to the Equator Principle for multinational lending.

China's environmental law regime seems to be developing robustly. To take just one example, China's auto emissions standard for new vehicles is stricter than ours. I learned firsthand about ongoing technical research, and emerging pollution trading exchanges. At CUPL, I met with China's environmental "hero," professor Wang Canfa. His Center for Legal Assistance to Pollution Victims is the rough equivalent of a public interest law firm crossed with a student clinic. It brings civil cases to court to seek pollution abatement and damages. I also made connections in the rapidly growing Beijing environmental community, especially at the Beijing Energy and Environment Roundtable forum.

Still, even my students knew that China has a long

On a clear day (left), Beijing's new skyscrapers, such as the China World Trade Center Tower, are readily visible. On many other days (right), pollution hangs like pea soup over the city. Since the 2008 Olympics, China has seen environmental backsliding.

way to go. Several remarked that while China has substantial environmental law on the books, that law is not adequately enforced. This a main difference between China's environmental regime and our own. A noted China scholar said the system will only change when there is an independent judiciary, and party officials

of openness. Still, one should not mistake this for the freedom of speech and professional freedom we enjoy. A lawyer who is too zealous about his cases, or the legal profession, can easily find himself in trouble. A member of the Beijing Lawyers Association expressed privately to me a strong desire for direct elections of its leadership, calling the organization "corrupt." I did not pursue this point, for I knew that another Beijing-based lawyer had suffered a crackdown on his law firm in part for expressing this same viewpoint.

There was time during my stay to take side trips to the Great Wall and tourist sites throughout China, and to enjoy Beijing, which was chaotic, hard, but often delightful. I enjoyed restaurants representing a wide array of Chinese regional cuisines (our concept of "Chinese food" bears no relationship to the far more diverse and appealing real thing), and sampled *lao* (traditional) Beijing street food like *suan nai* (yogurt in clay crocks bought and consumed on the spot) and *jian bing guozi* (spicy egg-based crepes made hot on large stones).

The Chinese lessons I took before departing turned out to be invaluable, as Beijingers speak little English. As for Beijing cabbies, let's say they're every bit as iconic as their counterparts in New York!

I gave talks in Beijing at several other universities, and spoke in Zhuhai, Qingdao, and Chongqing under the auspices of the Fulbright program. The Zhuhai trip stands out, as I both spoke on global warming and led eight teams of three students each in a condensed one-day version of the global warming negotiation exercise. I also led a panel discussion on the environment and U.S.-China relations at a conference in Nanjing at the Johns Hopkins University-Nanjing University Center for Chinese and American Studies, and I traveled to South Korea to speak at Hongik University. In Korea, I met up with law student Anthony Bessette, who was studying there. (See story, page 26.)

After my sojourn in China, I found myself observing that Cold War-era paradigms about China should be discarded. The stereotype of a population wearing nothing but Mao jackets is inapt. The streets of Beijing look like those of big cities anywhere, with a plethora of consumer goods and cell phones.

The notion that China is an unrepentant polluter does not square with the earnest efforts I observed to reconcile growth and environmental concerns.

There is more public deliberation today about governmental policies (even failed ones), and the Chinese leadership responds more to public opinion.

realize it is in their best interest to refrain from overriding local judges. Some thoughtful people indicated that some party officials have pointed out inconsistencies between laws and enforcement, but this is unusual and can lead to career advancement difficulties.

China is more open today than even a decade ago. Quite a few Chinese discussed openly the horrors of the Cultural Revolution, the period between 1966 and 1976 that wreaked havoc on China's social and political society. One professor attributed the law campus' small size to stripping of university space during the Cultural Revolution. There is more public deliberation today about governmental policies (even failed ones), and the Chinese leadership responds more to public opinion.

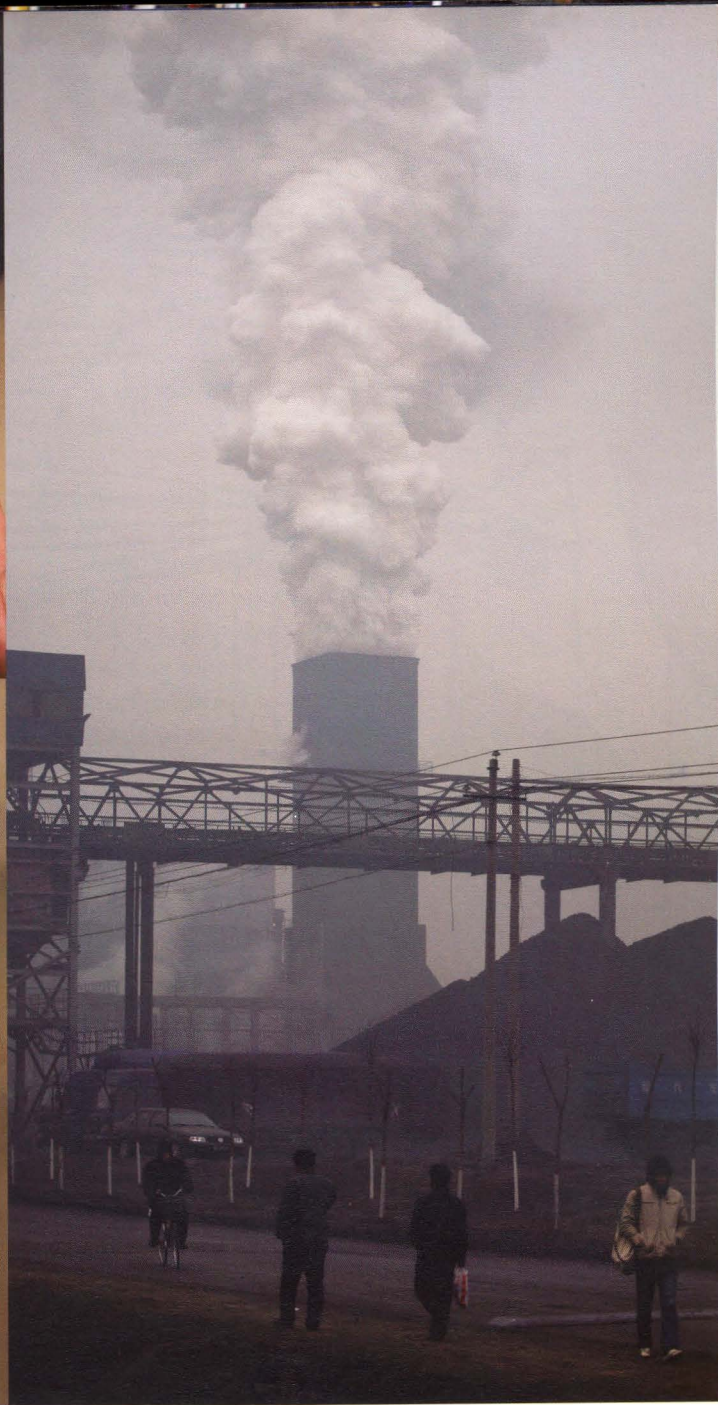
Internet access is still limited. YouTube was occasionally blocked. Professor Rebecca Mackinnon, an authority on China and the Internet,

noted in a presentation that with the Internet and Chinese-language blogs, "Chinese citizens have a means of expression that was not available before."

There is some latitude to criticize the government's handling of environmental matters. Professor Wang expressed frustration, privately to me and before his colleagues at a dinner setting, about the difficulties of assembling and presenting a case against a polluter. Before my trip, I did not expect even this limited degree



Eisen and environmental law activist Wang Canfa, whose center brings civil cases involving pollution to court.



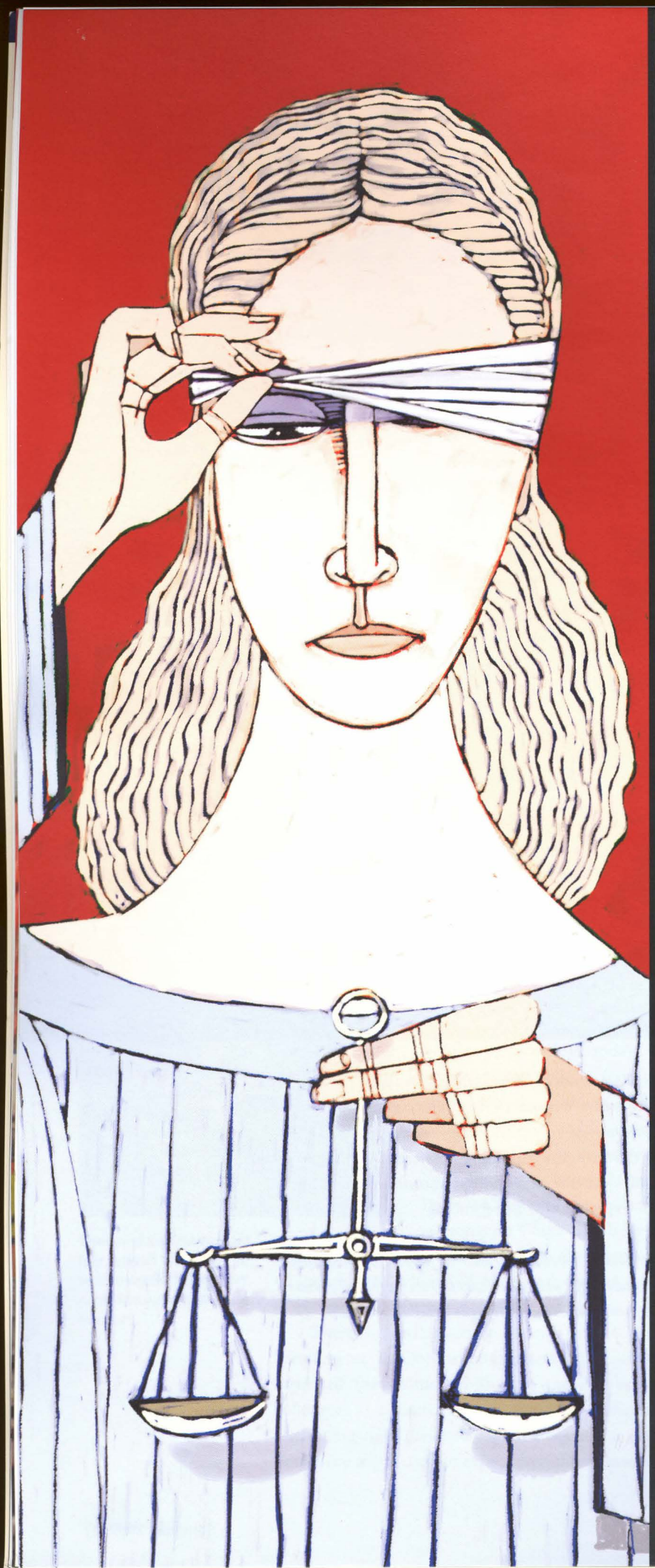
Politically, Mackinnon argues that China's "authoritarian deliberation" makes it "possible to have a substantial amount of public deliberation about policy within an authoritarian state." Still, the party's grip is strong, as I noted even in university officials' behavior toward me. One asked if this article would be "favorable to China," appearing concerned about possible adverse consequences if it were not.

This mass of contradictions forced me to reevaluate my preconceptions about China. We think that once a nation gets a taste of capitalism, the Internet, and free speech, it is inexorably traveling on a path to democracy. That hardly appears true in China, where the party appears capable of maintaining its supremacy for years to come. My students were neither dissatisfied nor disinterested with the world beyond China's

borders. As a result, I found myself frequently pondering what I, as a well-meaning China newcomer, could constructively do to advance my students' lives. I cannot say that my time in China answered that question fully, but I can say that the five months I spent there were the experience of a lifetime. ■

Professor Joel B. Eisen is a leader in fields of environmental law and energy policy. He was in China from February through June under the Fulbright Scholar Program.

In Linfen, one of China's most polluted cities, a coal coking plant (right) clouds the scene. Wheat, tainted by pollution (left), is difficult to sell at the market.



HOW MUCH DOES LAW MATTER?

By Corinna Barrett Lain

We lawyers assume that law matters. Law students spend three years studying the law because they think it matters. Attorneys spend hours upon billable hours writing briefs and preparing for arguments on the law because they think it matters. Law professors spend entire careers researching, writing, and talking about the law because they think it matters. And last but not least, judges justify their rulings in the language of law presumably because law matters. From start to finish, the entire legal world is based upon the assumption that law matters. The assumption is so ingrained, in fact, that we rarely, if ever, pause to ask the question—how much does law matter?

By 'law,' I mean the constraining force of established rules and precedents—and the question of how much these things matter is, I submit, a hard one.

At the top of the judicial hierarchy is Supreme Court decision-making, and here the law tends to matter the least. In part, it matters the least because the Supreme Court is at the top of the judicial hierarchy. It literally has the last say, bringing to mind Justice Jackson's famous words, "We are not final because we are infallible; we are infallible because we are final."

That said, in large part, law matters the least at the Supreme Court level because the questions the Court gets have no obviously right or wrong answers. The Supreme

Court does not get “easy” questions; there are valid arguments either way. Even precedent is, to quote the late Chief Justice William Rehnquist, “not an inexorable command.” Indeed, nowadays, the constraint of precedent is so weak that there is something called “superprecedent,” which as far as I can tell, is just precedent that has the effect we all thought precedent was supposed to have in the first place.

Taken together, these and other circumstances create a decision-making landscape in which Supreme Court justices can decide any given case any way they want, and a substantial body of social science research supports the claim that that is exactly what the justices do. Shockingly, researchers can predict Supreme Court decisions by ignoring the law and just aggregating the justices’ personal policy preferences with 70 percent accuracy (90 percent in search and seizure cases)—a figure that far surpasses the 40-50 percent range that one gets by using old-fashioned legal analysis, the tool we lawyers spend all our time researching, writing, and talking about.

This is not to say that the law is completely irrelevant. Justices might decide cases the way they want to, but legal arguments (let us hope) might influence the way the justices want to rule, and in any event, the law frames the way those rulings are justified, paving the way for future legal debates. What the law does not do—at least at the Supreme Court level—is *constrain* the justices’ decision-making. It does not prevent them from ruling however they are already inclined to rule.

The question, then, becomes whether the dynamic of judicial decision-making is all that different at other echelons of the judicial hierarchy. The circumstances are different—other judges are *not* at the top of the judicial ladder (with the exception of state supreme court justices on matters of state law), and the law is often fairly clear. But how different is the dynamic?

Here my thoughts drift to my experience as a local prosecutor and as a federal circuit court clerk. As a prosecutor, my practice was at the lowest echelon of judicial decision-making. Most cases were light on questions of law and heavy on questions of fact. At this level, the law arguably matters most in terms of judicial constraint.

Yet here too, there were cases where the law was seemingly clear one way and yet the judge went the other way (thus provoking an appeal, which *sometimes* came out the way one would expect, and sometimes not). Looking back, I never once thought the judges were doing anything other than what they saw as the right thing—it was just that from time to time, there

was something of a disconnect between doing the right thing and what the law required. In those cases, the law was distinguished. Facts were similar but not similar enough. You get the idea. It did not happen all the time, or even all that often. But it did happen.

My experience as a bright-eyed law clerk fresh out of law school was largely the same—the judges’ views of the equities of a particular case were just as important as the law, if not more so. Ever wonder how a federal circuit court could have conflicting panel decisions? Do you really think the second panel just did not know about the first panel’s contrary ruling? Of course it did—but it thought that the first panel’s ruling was wrong and chose to disregard it. And there you have it, how good law goes bad.

To be clear, the point of my musings (again) is not to say that the law is irrelevant. It is to question how much the law keeps judges from deciding cases in whatever way they are otherwise inclined to decide them. Much of the time the question does not even come up. For the most part, the law is sensible enough, and so applying it does not often strongly offend a judge’s sensibilities. If, as others have claimed, judges tend to adopt judicial philosophies best suited to lead them where they want to go, one quickly reaches the same conclusion: Conflicts between a judge’s sense of what the law requires and a judge’s personal policy preferences are rare. None of this is to say that in those rare times of conflict, the law never wins—we can all think of cases where a judge has claimed to personally prefer one result while ruling for another. But where those preferences are strong, it is often the law that gives way.

So where does all this lead? For practitioners, the answer is fairly intuitive, although all too often forgotten: It is just as important to convince judges that they *want* to rule a certain way as it is to convince them that they *have* to rule a certain way. Courts of law and equity may have merged, but the equities of a case are still incredibly important.

This I see as a tribute to judges, not a slight. They, like the rest of us, want to do the right thing—and even in courts of law, that puts an intrinsic limit (subtle and capacious as it may be) on how much the law can matter. ■

Corinna Lain is a professor at the Law School whose scholarship focuses on Supreme Court decision-making in the criminal procedure and death penalty contexts. Ideas expressed here were initially explored in “Deciding Death,” 57 Duke Law Journal 1 (2007).



Seeking Dignity

Gates Foundation grant recognizes and strengthens Karamah

By Bonnie V. Winston

A small, human rights nonprofit that was born at the University of Richmond School of Law is expanding thanks to a grant from one of the world's largest private foundations.

The Bill and Melinda Gates Foundation, known for efforts to end hunger and eradicate disease, awarded \$1.42 million to Karamah: Muslim Women Lawyers for Human Rights.

Karamah, which means "dignity" in Arabic, was started by law professor Azizah Y. al-Hibri to help educate Muslim women and others that Islam does not require a choice between their human rights and their faith.

"Religion does not oppress people. It's usually the culture," al-Hibri says. "I saw that through the women's movement in the United States, when Christian and Jewish women went through the patriarchal tradition and dissected it and came up with a feminist interpretation of those religions. I understood my religion to be the same way."

By teaching the fundamentals of Islamic law and leadership principals, the organization helps women to

address social problems where they live.

For al-Hibri, a former philosophy professor and Wall Street lawyer, the grant recognizes the value of the work Karamah is doing on women's behalf.

"It will strengthen our ability to fulfill our mission," she says. "We are such a small operation and we've been working with very little [funding]. I'm thankful they looked our way and gave us a chance to enhance our capabilities."

The grant, which is the largest in Karamah's history, will help expand Karamah's work with Muslim women jurists in part by opening a branch in Brussels. It will enable Karamah to upgrade its global information network, and it will help Karamah develop a family law division.

Dean John G. Douglass says a Gates grant to a law professor is unusual. He lauded al-Hibri as one of the principal voices speaking for women's rights under Islamic law.

"Her teaching has given our students a balanced and reasoned understanding of cultures, which, in

today's world, are far too often painted with a broad brush," Douglass says. "Equally important, professor al-Hibri's work through Karamah has provided opportunities for our students to engage in service-based learning on an international scale."

Karamah, which is based in Washington, D.C., works with a worldwide network of Muslim women lawyers who research and write about issues of Islamic jurisprudence, including domestic violence and divorce.

Karamah also runs a Law and Leadership Summer Program in which Muslim women from around the world convene to discuss the issues affecting Muslim communities.

University undergraduate students, including several from the Jepson School of Leadership Studies, the Bonner Center for Civic Engagement and Spiders for the Common Good, work with Karamah.

Jenny Boylan, a senior from Rockville, Md., who is headed to graduate school in political science or international relations, says her experience with Karamah gave her valuable insights from women around the world.

"There are a lot of misconceptions about Islam and what it means for women," Boylan says. "After working with Karamah, I was able to speak up in class about the complexities of many issues and women's roles in the Middle East."

Commitment to women

Born in Lebanon to a successful, community-minded family (her grandfather, Sheik Muhammad Toufik El Hibri, founded the Muslim Scouting movement), al-Hibri came to the United States in 1966. She earned a master's degree and doctorate in philosophy from the University of Pennsylvania. After teaching at Texas A&M University, she returned to Penn for a law degree.

"I was committed to women's issues, and I wrote a lot about them," al-Hibri says. "But I realized that it's the law that changes society. It is important to have the legal piece, which says how change will actually happen in the state and in an orderly, democratic fashion."

She joined the Law School faculty in 1992.

When the women's movement went international, she says, "it started speaking about Muslim women, how oppressed they are and how their religion oppresses them."

But al-Hibri rejects that notion and works to educate Muslim women and others who confuse oppressive and entrenched patriarchal customs with religious mandates.

Al-Hibri started Karamah in 1993 with a group of Muslim women lawyers whose research and writing addressed stereotypes and misunderstandings in the West about the status of Muslim women.

Al-Hibri, a Fulbright scholar and Jesse Ball duPont Fellow, is widely read and consulted. After the terrorist attacks of 9/11, the White House, the U.S. Justice Department, the State Department, and the FBI sought her advice.



Religion does not oppress people. It's usually the culture.

— Azizah al-Hibri

She has spoken around the world on Islamic and American jurisprudence and women's issues, including at the United Nation's 1995 World Conference on Women in Beijing. Her audience has included diplomats, dignitaries, and community activists from Brussels to Bahrain.

Douglas A. Hicks, associate professor of leadership studies and religion at the Jepson school, calls al-Hibri a "bridge builder" whose work leads to mutual respect through the understanding of culture.

For 10 years, Hicks has collaborated with al-Hibri on issues of religious diversity. He also taught an ethics and leadership course in Karamah's summer program.

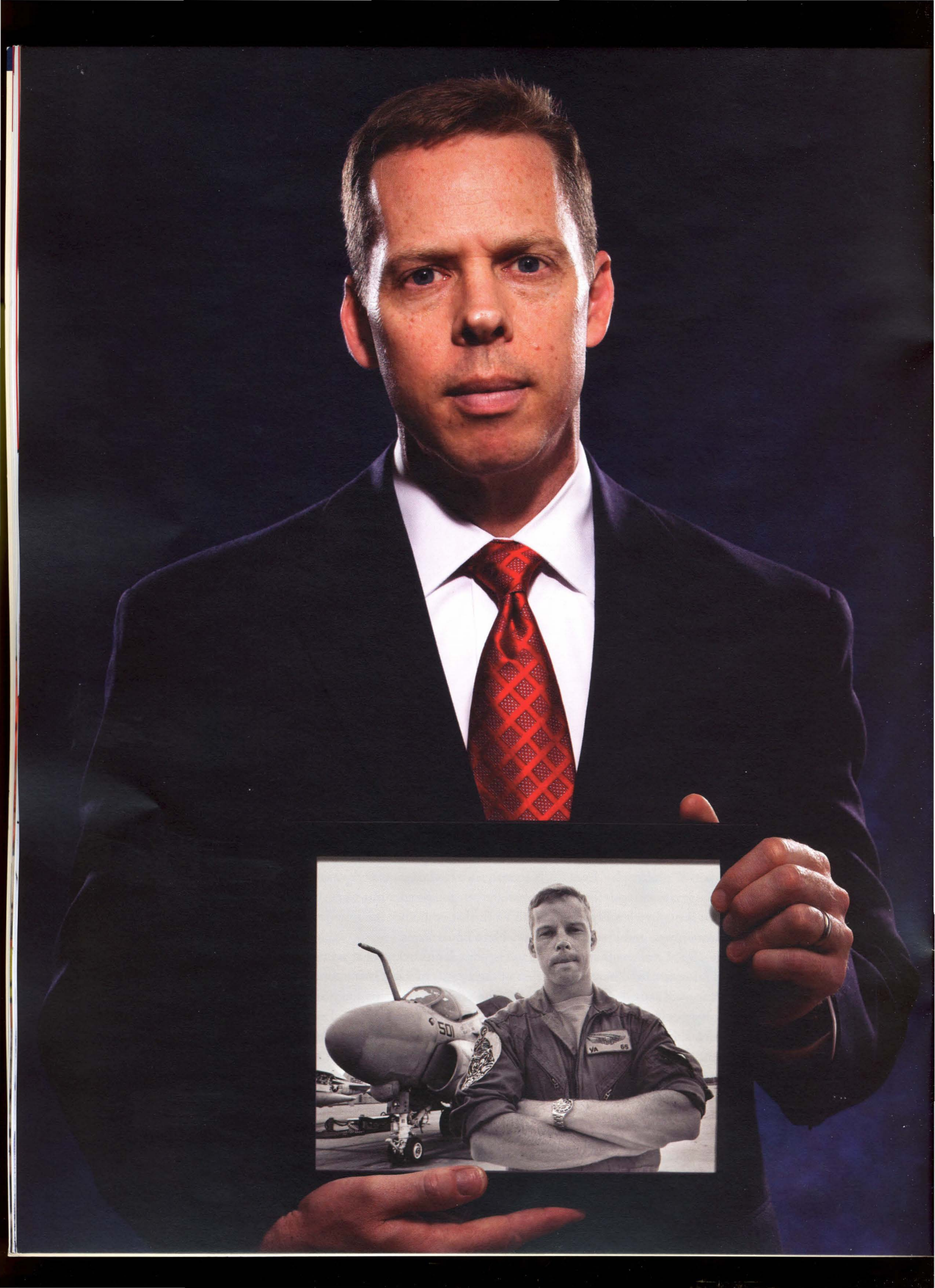
Hicks says the lessons Karamah interns "learn about the struggle of Muslims for human rights around the world lead to more careful thinking about justice issues. Karamah adds to the University's national reputation."

Karamah got the attention of the Gates Foundation with work that embodies the foundation's motto: "All Lives Have Equal Value."

The foundation acknowledged the special distinction of the award, which was announced in January.

"While rule of law is not a key focus for the foundation, we believe it is an essential component of the challenges we face in [global] development," according to the foundation. "Karamah is making a unique contribution to the rule of law sector in the area of contemporary jurisprudence and the rights of Muslim women around the world."

Karamah now has the resources to leap to the next level, al-Hibri says. "That will really multiply our impact many times over." ■



A Dream Deferred

Thorne-Begland rejoins debate over gays in the military

By Andy Taylor

Honesty may be the best policy but it can be costly. Just ask Tracy Thorne-Begland, L'98. Honesty about his sexual orientation ended his dream career as a Naval aviator.

In February, at the invitation of the Law School chapter of the Equality Alliance, Thorne-Begland was back on campus to talk about his experiences in the Navy and the courts, as the nation, in the midst of war and economic turmoil, again faces the issue of gays in the military.

And while he is ready to stand up again in the fight for gay rights, Thorne-Begland says, "I'm happy to help out but I've never wanted to be a poster child."

Twenty years ago, Thorne-Begland graduated at the top of his class from Navy flight school in Pensacola, Fla. He was assigned to Oceana Naval Air Station near Virginia Beach as a bombardier navigator.

Because of his strong record, he earned the right to pick the aircraft of his choice, and for Thorne-Begland, that was easy. He was hooked on the A-6 Intruder attack plane in college when he read Stephen Coonts' *Flight of the Intruder*, a book about A-6 pilots in the Vietnam War. For the next three years Navy Lt. Thorne-Begland flew the A-6 from aircraft carriers, dropping bombs during nightly training missions along the East Coast and over Puerto Rico.

As much as he loved what he was doing, Thorne-Begland was struggling with the secret of his sexual orientation (though he had "come out" to friends with whom he served). He felt a moral obligation to be honest about himself, though he knew that the military banned homosexuals.

Despite the likely consequences, Thorne-Begland felt two compelling concerns: His parents had instilled in him a strong sense of honesty and integrity. And he was troubled that he was putting his life on the line for his country every day but could not be his true self. (Two of Thorne-Begland's squadron mates had been

killed in training accidents.)

After being counseled by a gay and lesbian veterans organization, Thorne-Begland agreed to go on ABC's *Nightline* on May 19, 1992, where he told Ted Koppel and millions of viewers that he was a gay naval aviator.

At the time, incoming President Bill Clinton said he would challenge the ban, and debate over the policy had begun. Thorne-Begland's *Nightline* appearance placed him in the center of the national spotlight.

In 1993, after noisy debate and considerable opposition from the military, the "Don't Ask, Don't Tell" compromise was put into place. It remains the standing order for the Armed Forces.

Over the years, the Navy honorably discharged Thorne-Begland twice, initially after his revelation on TV. He was reinstated after filing suit in federal court. He was discharged again in 1995, after the U.S. Supreme Court denied his appeal.

A career and a family

Thorne-Begland says he greatly misses the Navy and flying but he has moved on with his life. "I've been fortunate in that regard. I've picked up the pieces."

During his legal battles, Thorne-Begland developed a fascination with the law, and he and his life partner, Michael Thorne-Begland, who had been living in Washington, D.C., both enrolled at the Law School. Richmond, they believed, would provide a top quality legal education in a welcoming environment.

Today, Tracy is managing deputy in charge of the violent crimes team at the Richmond Commonwealth's Attorney's office, and Michael is a director and assistant general counsel with The Altria Group in Richmond. They have 4-year-old twins, Chance and Logan.

At the Law School, Thorne-Begland says, he aspired to be a prosecutor because he enjoys trial work and going into court. "I love what I'm doing but it's not the dream I thought I'd be living 15, 20 years

ago," he said in an interview in his office in the John Marshall Courts Building in downtown Richmond. A photograph of an A-6 in flight hangs on the wall behind his desk. The room is adorned with posters and pictures related to the Navy, aviation, and his family. "My days in the Navy were some of the best days of my life," he said.

If given a chance, Thorne-Begland says he would re-enlist, though at age 42, he realizes his days as an aviator are over. Instead, he would consider joining a reserve unit where he could do legal work as a JAG officer.

Thorne-Begland and other gays and lesbians who want to serve in the military have reason for renewed optimism. The Obama Administration has said it will ask the Defense Department to end the ban on homosexuals in the Armed Forces.

But Thorne-Begland also was optimistic when Clinton took on the issue and "Don't Ask, Don't Tell" became the policy.

"It was hugely disappointing," Thorne-Begland says. "The fact that it has been 16 years is disappointing."

'Don't Ask, Don't Tell' revisited

Virginia Congressman James P. Moran tracks the number of military personnel discharged for being gay under the "Don't Ask" rule (13,000 so far) and is one of a growing number of politicians calling for its repeal.

Moran, who serves on the House committee that oversees military spending, was quoted by the Associated Press in March asking, "How many more good soldiers are we willing to lose due to a bad policy that makes us less safe and secure?"

Public opinion also seems to be shifting. In an *ABC News/Washington Post* poll, released last summer, 75 percent of those responding supported allowing gays to serve openly in the military.

Sam Bernier, an Iraq combat veteran who just completed his first year at the Law School, believes gays should be allowed to serve.

"I believe that 'Don't Ask, Don't Tell' is a ridiculous policy that never was effective," Bernier

says. "The policy only encourages homosexual service members to be dishonest with themselves and others."

Bernier, who has served as an infantryman in both the Marines and the Army National Guard, says he thinks many in the Armed Forces are ready to accept gays and lesbians into their ranks, though he has reservations about them being assigned to the front lines in

"It is in our national interest to have people like Tracy in the military."

— Former law Dean John R. Pagan

ground combat operations.

"My concern about homosexual personnel in front line combat units stems not from their sexual orientation but from the possibility of personal relationships that would damage the integrity of the unit," Bernier says. (Women are not allowed to serve in ground combat units.)

Former law Dean John R. Pagan, a University professor at Richmond who teaches a course on sexual orientation and the law, says he is convinced that the restrictions on gays serving in the military will change.

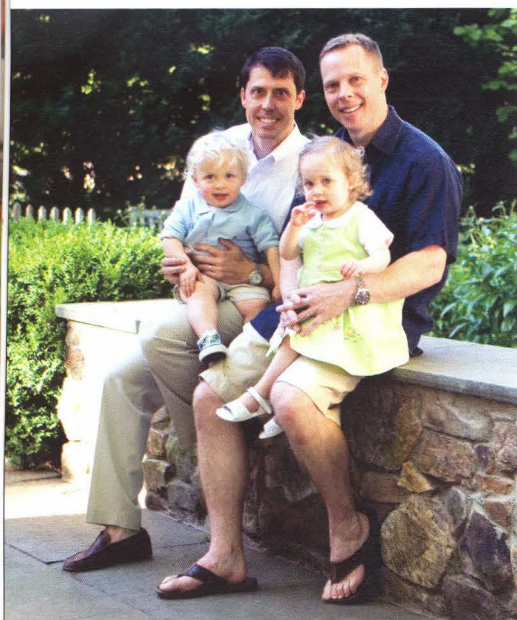
"I think the nation is ready now," says Pagan, who was dean when Thorne-Begland was at the Law School. "I think Congress needs to catch up with popular opinion. It is in our national interest to have people like Tracy in the military."

Thorne-Begland believes the policy comes with a substantial cost. The military is losing talented people who could be filling needs, and in these budget-strapped times, there is a significant cost attached to discharging gays. Thorne-Begland says the Navy spent \$2 million training him to be an officer and combat aviator.

The experience still hurts, he says. "It is a loss of a dream I had for a long time. I miss it every day that I'm not flying. I don't get all weepy eyed looking back. I have never dwelled on it. I have never regretted it. I have great respect for the Navy. I hope to be back there one day." ■

Andy Taylor recently retired as metro editor of the Richmond Times-Dispatch.

Michael and Tracy at home with their son Chance and daughter Logan.



FACULTY BRIEFS

Faculty achievements, publications and appearances



Law faculty earn honors

Kelley Bartges (top) and **Adrienne E. Volenik** (bottom) were honored recently for contributions to the community and the profession.

Assisting Families of Inmates Inc. presented its Community Partnership Award to Bartges, clinical professor of law and director of the Delinquency Clinic at the Law School.

Bartges was recognized for her longstanding commitment to the organization, and to the families it serves. A 1985 graduate of the Law School, Bartges is past president and executive director of the organization.



AFOI seeks to prevent the breakdown of relationships among inmates and their families by providing regular, meaningful visitation, support and education services. It also seeks to prepare families for a successful transition when inmates are released from prison.

Volenik, clinical professor of law and director of the Mental Disability Law Clinic, was one of 10 recipients of the Richmond YWCA's 2009 Outstanding Women Awards. Volenik was recognized in the award's education category.

The YWCA acknowledged Volenik's work to secure a grant creating a interdisciplinary clinic to provide legal services to low-income children and families, along with psychological counseling and social work services provided by Virginia Commonwealth University. The cross-disciplinary, trans-university model "is revolutionary in its collaborative design," according to the YWCA.

Virginia's First Lady Anne Holton participated in the presentation.

Margaret Ivey Bacigal is chair of the Virginia Bar Association's Commission on the Needs of Children.

Hamilton Bryson published *Robert Paynell's Exchequer Reports (1627-1631)*, and *Virginia Circuit Court*



Opinions, vol. 76, which includes constitutional law briefs and opinions in the case

In re Episcopal Church Property Litigation involving parish churches that have left the Episcopal Diocese of Virginia.

Jim Gibson was a featured speaker at the Virginia Inventors Forum in April, and at the Virginia Association of Independent Schools in March. Gibson was a commentator for the Symposium on the Boundaries of Intellectual Property at the William and Mary School of Law in February. He was quoted in Jesse Greenspan, "IP Suits Fall Due to Copyright Slump," *IP Law 360*, December 2008; Julie Seveloff, "On the Docket: IP Cases to Follow in 2009," *IP Law 360*, 2008, and Ashley Murray, "Girl Talk: Sample Use in the Digital Age," *The Globe*, November 2008.

Jessica Erickson published "Corporate Misconduct and the Perfect Story of Shareholder Litigation" in 84 *Notre Dame Law Review* 75 (2008).



Melissa Goemann spoke at the National Conference of State Legislatures in

Washington, D.C., on of the federal Adam Walsh Act.

Ann C. Hodges published *Principles of Employment Law* (West 2009) with co-authors Peggie R. Smith, Susan J. Stabile, and Rafael Gely.

In February, she spoke at the Human Resource Educational Forum of the Robins School of Business on the Employment Free Choice Act. In June, she spoke at the American Association of Law Schools Workshop on Work Law on arbitration. She also spoke at the Appomattox Area Health and Wellness Center in Petersburg on "Keeping Your Job When Cancer Strikes." She was awarded the University's Distinguished Educator Award. (See story, page 4.)

Joyce Manna Janto is vice-president/president-elect of the American Association of Law Libraries. She will take office in July 2009 at the association's conference in Washington, D.C. AALL has an international membership of 5,000 law librarians.

Jack Preis delivered an update on federal practice and procedure to judges of the 4th U.S. Circuit Court of Appeals in Baltimore in March.

Noah Sachs presented a paper at the Environmental Law Workshop at Tel Aviv University in December



2008 comparing American and European Union approaches to chemical regulation. His article "Greening Demand: Energy Efficiency and the U.S. Climate Change Strategy" appeared in a symposium issue of the *Duke Environmental Law and Policy Forum*. Sachs spoke in February on energy efficiency and climate change at a conference at Washington and Lee School of Law on Climate Policy for the Obama administration.

Peter N. Swisher wrote the 2009 edition of *Virginia Family Law: Theory and Practice* with Lawrence D. Diehl and James R. Cottrell, L'77. He wrote "Proposed Legislation: A (Second) Modest Proposal to Protect Virginia Consumers Against Defective Products," which appeared in 43 *University of Richmond Law Review* 19.

In March, the Virginia State Bar honored Swisher with the lifetime achievement award in family law. (See story, page 3)

Carl W. Tobias reviewed a book on federal judicial selection in the *University of Richmond Law*



Review, and he published an article on amicus briefs in the inaugural issue of the *Drexel Law Review*. Tobias published articles on federal judicial selection in the *Washington Post*, *Baltimore Sun*, *Christian Science Monitor*, *National Law Journal*, *Indianapolis Star*, *Richmond Times-Dispatch*, *McClatchy Newspapers*, *Philadelphia Inquirer*, *FindLaw*, and *Roll Call*. He published articles on the federal courts in *FindLaw*, *Jurist* and *Roll Call*. He was a widely quoted contributor to the debates over judicial selection, the Obama administration, and other topics. Tobias was quoted in numerous newspapers, including the *International Herald Tribune*, *New York Times*, *Washington Post*, *Los Angeles Times*, *Wall Street Journal*, *Financial Times*, *Christian Science Monitor*, *USA Today*, *Boston Globe*, *Atlanta Journal-Constitution*, *Detroit News*, *Philadelphia Inquirer*, *The Recorder*, *Dallas Morning News*, *Legal Times*,

National Law Journal, and *San Jose Mercury-News*, and in on-line publications, including *Congressional Quarterly.com*, and *Politico.com*.



Gail Zwirner wrote "One Person's Junk, Another Person's Treasures: Dissolving a

Small Law Book Collection" for the April issue of *Virginia Lawyer*.

Professors granted tenure, promoted

Law professors **Jim Gibson** and **Chris Cotropia** were promoted to professor with tenure by the University Board of Trustees March 6. The board also voted to promote **Kristen Osenga** and **Noah Sachs** to associate professor.

Cotropia joined the Law School faculty in 2006. He holds a J.D. from the University of Texas School of Law. He teaches intellectual property fundamentals, and property.

Gibson is director of the Intellectual Property Institute at the Law School. He holds a J.D. from the University of Virginia School of Law. He has taught copyright law, intellectual property, computer law, and the John Marshall Scholars Seminar. He joined the faculty in 2002.

New faculty

Meredith J. Harbach and **Kevin C. Walsh** will join the Law School faculty this year.

Harbach comes to Richmond from New York University School of Law where she has been associate director of the Lawyering Program. She worked previously in firms in Houston, as well as with

Planned Parenthood there, and with the Texas Civil Rights Project.

Harbach's teaching interests include family law, civil procedure, federal courts, women and the law, and trial advocacy.

Harbach earned her law degree from Columbia University School of Law where she was articles editor of the *Columbia Law Review*. She holds a diploma in Spanish studies from the University of Salamanca, and a bachelor's degree in government, Phi Beta Kappa, from the University of Texas. Upon graduating from law school, she clerked for U.S. District Judge Nancy F. Atlas in Houston.

Walsh has been visiting assistant professor of law at Villanova University School of Law since 2007. Previously he was an associate with Hunton & Williams in Richmond in litigation, intellectual property and antitrust. He clerked for Justice Antonin Scalia of the Supreme Court of the United States, and for Judge Paul V. Niemeyer of the 4th U.S. Circuit Court of Appeals.

He holds a JD from Harvard Law School, a master's degree from the University of Notre Dame in Theological Studies, and a bachelor's degree from Dartmouth College.

Visiting faculty

Graham Strong will be visiting with the Law School for the 2009-10 academic year. Strong served as a visiting professor at Richmond previously. He has taught at law schools at George Washington University, the University of Texas, Cornell University, UCLA, Hofstra and the University of Virginia.

Also this fall, U.S. District Judge **Henry E. Hudson** of the Eastern

District of Virginia will teach the course in Advanced Trial Practice. Judge Hudson has served as district judge in Richmond since his appointment in 2002. Prior to his service as a federal district judge, he was United States attorney for the Eastern District of Virginia, and later served as judge of the Circuit Court of Fairfax County. Hudson is returning to the adjunct faculty at the Law School.

In Memoriam

Gary Charles Leedes, who went from college dropout to constitutional scholar, died in November. He was 74.

Leedes taught at the Law School from 1974 until his retirement in 1999. He then was named professor emeritus.

Leedes earned his undergraduate degree in economics from the University of Pennsylvania. He went on to receive his law degree from Temple University. He later earned a master's degree of law and doctor of scientific jurisprudence, both from Harvard University.

Leedes was widely recognized as a constitutional law scholar who contributed to the legalization of home schooling in states including Virginia and Missouri in the 1980s. He was called as an expert during litigation surrounding the admission of women to Virginia Military Institute.

Upon retiring, Leedes researched and wrote about issues of theology such as the doctrine of the Trinity, and the ways in which Christians and Jews interpret and apply scripture.

FACULTY PROFILE

Making corporate law fun

Jessica Erickson



There is a framed cartoon on the wall in Jessica Erickson's office. She drew it when she was 8. The pencil drawing depicts a lawyer pontificating in court in front of a sleeping judge and jury. The caption reads: "But, perhaps I digress."

The cartoon conveys both a sense of humor and an interest in the law that were evident in Erickson as a child growing up in Florida. She was bored when her father, a corporate lawyer, talked at home about his work. Now, it's her mother who is bored when she and her father have dinnertime discussions about corporate law. "It's ironic," she says, laughing.

Erickson taught legal writing at Harvard while at law school there. She worked at Hunton & Williams in Richmond in the Corporate Governance and Securities Practice before coming to the Law School.

"When I was in practice, I realized I missed" teaching, she says. A second-year professor, she teaches corporations and civil procedure.

Between work and her family, Erickson stays busy. With two small children afoot, she has little time for hobbies. "I now do all the things you do with kids," she says. "We go to the pool and the playground. We draw with chalk and we bake cookies."

Professional organizations and activities will have to wait awhile, she says, though she managed to publish an article last year in the *Notre Dame Law Review*. "I'm just trying to get the whole professor thing under my belt."

She's determined to make corporate law interesting for her students. "It's about stories with fascinating backgrounds," she says. "If you tell the story, the students can see how it all fits together. It gets to be a lot more fun."

Student Bar Association President Travis Campbell wasn't surprised when the graduating class chose Erickson to be this year's commencement speaker. "She is very enthusiastic about the subject she teaches," he says. "She's a student-oriented person."

Erickson says she is flattered by the request. "It's nice to know that they like me as much as I like them."

STUDENT NEWS

Student news and accomplishments

Richmond law students win competitions

Teams from the University of Richmond School of Law won national championships in two competitions this year.

A team made up of **Paul Falabella** and **Faith Alejandro**, both second-year students, won the American Bar Association's National Representation in Mediation Competition in New York City in April.

The Richmond team was one of 10 regional winners who qualified for the final round. The team won the regional competition at North Carolina Central University in competition with 12 law schools, and advanced to nationals. There, in the final four, the students defeated teams from Ohio State University Moritz College of Law, Arizona State University College of Law, and Washington University School of Law (St. Louis).

In the competition, law students are placed in a mediation



Faith Alejandro (left) and Paul Falabella

setting where one plays the role of advocate and the other plays the client.

Students are judged on preparation, teamwork, and how well they represent the interests of the client.

Morna Ellis, adjunct professor, coached the team.

Richmond students also finished first in the ABA's National Student Trial Advocacy Competition in Chicago. The competition, which drew 69 teams,

was sponsored by the ABA's Labor and Employment Law Section.

The Richmond team included: third-year students **Scott H. Jones**, **Kristen Wright**, and **Jeannine Panzera**, and second-year student **Hank Gates**. Paul Thompson, adjunct professor, served as coach.

The other regional finalists participating were from the University of Oregon School of Law, Roger Williams School of Law, Brooklyn School of Law, Emory University School of Law (Miami), Duquesne University School of Law, Southern Methodist Dedman School of Law, and Pepperdine University School of Law.

Finals were held in the federal courthouse in Chicago with federal judges, law professors and prominent employment lawyers serving as evaluators. Students were judged on their advocacy skills and courtroom presence. Teams consisted of four students, two of whom served as lawyers, and two as witnesses. U.S. District Judge Rebecca Pallmeyer presided.



Scott H. Jones, Kristen Wright, Paul Thompson, Joseph Tilson, director of the competition, Judge Rebecca Pallmeyer, Jeannine Panzera, and Hank Gates

Asylum case provides insight

A pro bono asylum case turned into a rewarding educational, professional and personal experience for two law students this year.

Janica Woodley and **Jess Tobin**, who completed their second years at the Law School in May, found themselves immersed in the details of a continuing immigration case involving an Iranian woman who is now free to study and work in the United States, in part, as a result of their efforts.

The opportunity arose when Eliot Norman, an attorney at Williams Mullen in Richmond, contacted Tara Casey, director of the Law School's Harry L. Carrico Center for Pro Bono Services. Norman had an asylum application from a young Iranian woman whose visa was about to expire, and he needed help on short notice putting together her case, which he had taken on a pro bono basis.

"We assigned the students to gather facts to support the application," Norman said. "They went to work right away."

The urgency was obvious, Woodley said. "He had us calling her about five minutes" after their first meeting.

The students spent hours over the next few weeks "digging and digging to develop facts" that would be crucial to supporting the woman's petition, Tobin said.

Because the woman was a graduate student who was close to their age, the students quickly found themselves invested in the case. And the facts they uncovered were frightening. Their client had been interrogated in a windowless room, her family home was raided, and her property confiscated. She



Jess Tobin (left) and Janica Woodley helped win asylum for Iranian woman.

was beaten and her family was threatened, their investigation showed.

"Immigration law can have an immediate affect on someone's life," Tobin said. "We realized we had taken on a lot of responsibility."

The final submission to U.S. authorities was almost 200 pages, Norman said, and the students developed much of the information. "I know facts win these cases," he said. "That's what I wanted to emphasize with the students. Lives depend on the outcome." In late April, he and the woman appeared in the Chicago Asylum Office to present her case. On May 1, the hearing officer granted her request for asylum.

For Woodley and Tobin, the experience was more valuable than most classroom experiences. Said Woodley, "This clearly puts what lawyers do into context."

Student recognition

The *Richmond Journal of Law and the Public Interest* named **Keoni Medici** and **Anisa Mohanty** winners of the 2009 Legislation and Policy Writing Competition. Their winning articles were published

in the 2009 edition of *General Assembly in Review*.

John Heath won the 2009 Barnett Moot Court Competition.

Kate Dwyre was recognized for best brief.

Tricia Dunlap won this year's student op-ed competition sponsored by the Robert R. Merhige Jr. Center for Environmental Studies.

David A. McGill was the overall winner of the annual Entertainment Law Initiative Writing Competition sponsored by the GRAMMY Foundation and the Entertainment Law Initiative. His piece was titled "New Year, New Catch-22: Why the RIAA's Proposed Partnership with ISPs Will Not Significantly Decrease the Prevalence of P2P Music File Sharing."

Winners of this year's student mock trial competition were:

Lindsay Builder, Sarah Calihan, John Heath, Sandra Hong, David McGill, Jonathan Moore, Jeannine Panzera, and Stephen Taylor. The competition, which drew 16 teams, was sponsored by the Virginia Trial Lawyers Association. The students advanced as two teams to regional competition in Washington, D.C., sponsored by the American

Association for Justice.

Tiffany Ford won the first annual public-interest stipend offered by the Richmond chapter of the Virginia Women Attorneys Association. Ford plans to work on health equity issues at the Virginia Department of Health this summer. Ford, who is from Richmond, became interested in public policy issues related to health equity when she lived in a low-income neighborhood in New York City, and saw the limited options residents had for following a healthy diet.

Law study in Korea surprises, fascinates

By Tony Bessette, 2L

I spent last semester in South Korea studying at a law school that is part of Yonsei University in the heart of crowded, buzzing Seoul. This is not my first visit to South Korea. Once, before law school, I taught English here. That made an impression on me and brought me back.

A typical weekday involves rush hour subway commutes one must experience to believe, law classes taught by Korean professors and attended by students

from around the world, afternoons studying in the swanky, new, hyper-digital Samsung University Library, evening Korean classes, barbeque for dinner, and then karaoke (if I have time) or studying at one of the ubiquitous new coffee shops (if I don't).

At Yonsei, I am taking courses in International Law, Law in Society, and Human Rights in Korea and East Asia. All my law classes have surprised me. In the West we usually think of Asian education as professors "pouring" knowledge into attentive but silent students' minds. I cannot say that is a myth, but it definitely does not describe my classes.

Discussing international law, human rights, and the place of law in society with a multicultural class where I am the only American has been fascinating. In fact, I am the only American law student ever to study at this school, as far as any of my professors recalls. Because it is impossible to talk about the world's legal systems without talking about how they compare to the U.S. system, I often find myself explaining and defending it. Through other students' insights, I am learning to

appreciate it from the outside and think more critically about it, too.

I have gotten involved in legal life here by doing pro bono work for the Ministry of Government Legislation. The ministry recently unveiled an English-language online database of legal information for foreigners. My role is to help clean up English translations, as well as help give better explanations of the statutes and regulations to which they refer.

When I am not in class, I spend my time pursuing my passion for unusual food or hiking in the mountains that surround crowded Seoul. A number of breathtaking trails, dotted with Buddhist temples and ancient Confucian schools, begin within a short walk of a subway stop.

Seven qualify for Presidential fellowships

The Law School placed seven graduating students this spring as finalists for the national Presidential Management Fellowships, which are designed to attract outstanding men and women to federal service.

Richmond outperformed many top law schools with the seven finalists. The University of Virginia School of Law had four, William and Mary, six, Yale, four, Georgetown, five.

The Law School's finalists are: **Nate Denny, Chelsea Dunn, Chris Hoadley, Tiffany Laney, Lauren Pozefsky, Doug Walker, and Ashley White.**

Denny received a placement this spring as a result of the fellowship.



Tony Bessette window shops in Korea.

ALUMNI NEWS

Recognizing significant alumni accomplishments

Getting dirty, creative to save Vick's dogs

When Rebecca Huss saw the phone slip taped to her office door, she knew something unusual was going on. In this age of voice mail and e-mail, a message on paper stands out.

The note said an assistant U.S. attorney in Virginia wanted to talk about dogs, and not just any dogs. Michael Vick, star quarterback for the Atlanta Falcons, had been implicated in a dog-fighting ring, and the case was all over the media. Huss, L'92, an animal law expert and professor at Valparaiso University School of Law, was about to join the show.

In Richmond, **G. Wingate Grant, R'72 and L'79**, assistant U.S. attorney for the Eastern District of Virginia, had been assigned the asset forfeiture side of the Vick case, which was separate from the Vick prosecution. His team of government lawyers was looking for an animal law expert to help develop recommendations to present to the court on disposing of the dogs. Huss's name kept surfacing.

Seeing the UR law connection, Grant contacted Wade Berryhill, professor emeritus at the Law School, and asked about Huss.

"He remembered her and said she was very good," Grant recalls. (He and Huss later bonded over Berryhill tales.)

The court appointed Huss guardian and special master to the dogs seized from Vick's Bad



Rebecca Huss helped save "Bad Newz" dogs.

Newz Kennel in Surry County, Va.

Because of Vick's celebrity and money, media interest was intense. Huss's name appeared in the *New York Times* and *People* magazine in the same week. Valparaiso assigned a media expert to handle queries. Grant says the case "was probably the only asset forfeiture case ever featured on the cover of *Sports Illustrated* [Dec. 29, 2008]. People usually think of asset forfeiture cases as taking cars and Rolex watches from drug dealers, but there is a forfeiture provision in the Animal Welfare Act."

Huss found herself in Virginia, working with animal behavior experts. At one point, she realized she was "covered with animal hair and fluids," she says. "You never know where being a lawyer is going to take you."

Usually, after a large-scale seizure in a dog fighting case, the dogs are euthanized, Huss says. But the government wanted to

avoid that, and Vick's deep pockets presented a rare opportunity.

Huss and Grant helped convince the court to order Vick to pay more than \$928,000 to care for the dogs. The funds also paid experts to evaluate each animal to see which, if any of them, could be saved. Moving the dogs into federal custody provided rare options, Grant says.

"It was emotional to know that my work on placing the dogs would affect their lives, and possibly the public's safety," Huss says.

In the end, 47 of the 51 dogs were saved. Most went to rescue operations and others in foster care or permanent homes.

As a result of the case, several states, including Virginia, revised dog fighting laws and related statutes. Huss published "Lessons Learned: Acting as Guardian/Special Master in the Bad Newz Kennel Case," in *Animal Law Review* (2008). She continues to receive calls on animal law issues.

CLASS NOTES

Class news, alumni profiles, and events



Richmond Law magazine is looking for alumni news to publish in Class Notes. Staying in touch is easy through the online version of the magazine at law.richmond.edu/magazine. Go to the "Submit a Class Note" link to send your news. Or contact us by mail at Law Alumni, University of Richmond School of Law, University of Richmond, VA 23173, or at (804) 289-8028.

1960s

Harvey J. Michelman, R'58 and L'61, and his wife live in Florida during the winter and in New Jersey during the summer.

The Hon. Frederick Creekmore, R'60 and L'63, retired from the First Judicial Circuit Court in Chesapeake, Va., in February 2008. He sits as a substitute judge when needed and enjoys visiting his children and grandchildren.

The Hon. Harvey E. Schlesinger, L'65, was selected as the 2008 Florida Jurist of the Year by 11 state chapters of the American Board of Trial Advocates.

Roderick B. Matthews, L'66, is serving a two-year term as president of the American Bar Endowment. Virginia Gov. Tim Kaine appointed him to a four-year term on the Virginia Board of Medicine.

Virginia Del. Chris Peace, L'02, presented a resolution by the Virginia General Assembly honoring the late professor Robert E. Shepherd Jr. to Shepherd's family at the Law School in May. Pictured are (from left) Shepherd's daughter, Sharon, Peace, Shepherd's wife, Nancy, his daughter-in-law, Karen, and son, Rob.



1970s

David S. Mercer, L'71, is listed in the 2009 edition of *Virginia Super Lawyers* for real estate law. He is a principal with MercerTrigiani.

Bruce Stockburger, L'76, was named to Virginia's Legal Elite by *Virginia Business* magazine in health law. He practices with Gentry Locke Rakes & Moore in Roanoke, Va.

The Hon. Richard Claybrook, L'77, was sworn in March 13, 2009, as a District Court judge in Harrisonburg, Va.

Timothy L. Barnes and James A. Willett, both L'78, were sworn in to the American College of Trial Lawyers in March during a ceremony in Puerto Rico.

Henry W. Jones Jr., L'78, was selected as one of the most effective lobbyists in North Carolina for 2008 by the N.C. Public Policy Foundation. He is a partner at Jordan, Price, Wall, Gray, Jones and Carlton in Raleigh.

John T. Midgett, L'78, is a fellow of the American College of Trust and Estate Counsel. He is a trust and estate attorney with Midgett & Preti in Virginia Beach. He is actively involved in the Hampton Roads Estate Planning

Key to Abbreviations

School of Arts and Sciences.....	A
Robins School of Business.....	B
School of Continuing Studies.....	C
Graduate School of Arts and Sciences.....	G
Graduate School of Continuing Studies.....	GC
The Richard S. Reynolds Graduate School of the Robins School of Business.....	GB
Honorary degree.....	H
Jepson School of Leadership Studies.....	J
University of Richmond School of Law.....	L
Richmond College.....	R
Westhampton College.....	W

Council, the National Academy of Elder Law Attorneys, and the Duke University Estate Planning Council.

Brian E. Moran, L'78, received Connecticut's Malcolm Baldrige National Quality Improvement Award for SMART, a legal marketing initiative. In 2006, Moran received an award for a summer study/college preparatory program known as SUCCESS, which helps motivate low-income ninth-grade students with college potential. He founded SUCCESS in 2003.

Col. Evan L. Haberman, L'76, was awarded the Stuart R. Reichart Award for the most outstanding achievement in the field of law within the U.S. Air Force. He was honored for his career of exemplary legal service to the Air Force. Having served in many capacities since 1979, Haberman is the vice commander, Air Force Legal Operations Agency, Bolling AFB, Washington, D.C.

John C. Shea, L'77, of Marks & Harrison, has been selected to the National Advisory Board of the Association of Interstate Trucking Lawyers of America (AITLA). AITLA is a national association of lawyers who have joined together to help eliminate unsafe and illegal interstate trucking practices.

Bruce M. Marshall, L'78, of DuretteBradshaw, is serving a three-year term on the Judiciary Committee of the Richmond Bar Association.

He was included in the *Best Lawyers in America*, and was selected one of Virginia's Legal Elite in business law by *Virginia Business* magazine, and as a Super Lawyer in the area of business litigation by *Law & Politics* magazine.

BettyJo Clark Anthony, W'69 and **L'79**, celebrated her 28th anniversary as a prosecutor in Roanoke, Va., last fall. She teaches criminal law as an adjunct faculty member at Hollins University, and is a member of the University's Law School Alumni Association's board of directors. She is also a grandmother to Adi, 2, and Jack, 1.

P. Christopher Guidri, L'79, an attorney with Allen, Allen, Allen and Allen, was inducted as a fellow of the International Academy of Trial Lawyers.

Robert Lee Samuel Jr., L'79, was named to the Legal Elite in criminal law by *Virginia Business* magazine. The chair of the Chesapeake Redevelopment and Housing Authority, he also was included in the *Best Lawyers in America* for personal injury.

1980s

John D. Epps and **Stephen D. Busch**, both **L'80**, were chosen president and president-elect, respectively, of the Virginia Bar Association. Epps is a partner in the litigation and intellectual property practice at Hunton & Williams. He is past president of the Virginia Association of Defense Attorneys. Busch is a partner at McGuireWoods where his practice focuses on toxic tort and environmental litigation, and complex consumer litigation. He is former president of the United States Law Firm Group Inc., and is a member of the Defense Research Institute.

Edward L. Weiner, L'80, was elected to serve on the board of directors of the Fairfax, Va., Bar Association.

John R. Walk, L'80, is chairman of the litigation section of Hirschler Fleischer, where he is a member of the firm's board of directors.

At its annual dinner Jan. 22, the Virginia Law Foundation inducted several new fellows, including: **Phyllis C. Katz, L'82**, of Sands Anderson Marks & Miller; **Ann T. Burks, L'84**, who is retired from Ethyl Corp. (NewMarket Corp.); and **John L. Walker III, L'89**, of Williams Mullen in Richmond.

John B. "Jack" Catlett, L'82, a principal with Sands Anderson Marks & Miller, is on the board of trustees of St. Joseph's Villa.

Steven E. Farrar, L'82, is among 53 Smith Moore Leatherwood attorneys included in *The Best Lawyers in America*. He was recognized for his work in commercial litigation, legal malpractice law, and professional malpractice law.

Michael HuYoung, L'82, an attorney at Barnes & Diehl in Richmond, received the Award of Excellence in November 2008 from the Asian Pacific American Bar Association of Virginia. A chapter of the Asian Pacific American Law Student Association was established recently at the Law School.

George R. Parris, L'82, of Richmond, is the treasurer of the Virginia Creditors Bar Association.

Kurt Pomrenke, L'82, is corporate counsel for Graceway Pharmaceuticals in Bristol, Tenn. He was selected as a Tennessee Super Lawyer for the third year in a row by *Super Lawyers & Rising Stars* in the area of employment and labor law.

Edward L. Davis, L'83, is bar counsel for the Virginia State Bar and is in charge of the Department of Professional Regulation. He supervises 40 attorneys, investigators, and support staff.

Nancy G. Parr, L'83, was named the 2008 Woman of the Year by the Women's Division Hampton Roads Chamber of Commerce. She is commonwealth's attorney for Chesapeake, Va.

Lucia Anna "Pia" Trigiani, L'83, received the 2008 Educator of the Year Award from the Washington Metropolitan Chapter of Community Associations

Institute. It is the sixth time that she has received this award. She is a principal with the real estate firm of MercerTrigiani in Alexandria, Va.

Benjamin W. Emerson, R'73 and **L'84**, was re-elected to a fourth three-year term on the board of directors of the law firm of Sands Anderson Marks & Miller. His practice focuses on local government, including the areas of municipal bonds, real estate and economic development, zoning, and land use planning.

Teri S. Lovelace, L'85, is vice president of advancement at the Community Foundation, which serves Richmond and Central Virginia.

Pamela Smith Belleman, B'83 and **L'86**, an attorney at Troutman Sanders in Richmond, was among the women recognized in March 2009 by *Virginia Lawyers Weekly* as the inaugural class of "Influential Women of Virginia." This new award recognizes the outstanding efforts of women in the Commonwealth in fields including law, business, health care, education, and the arts. The honors acknowledge notable contributions to the winners' professions, communities, and society.

Victoria A.B. Willis, L'86, is a director at DurretteBradshaw. Her practice focuses on health law.

Stephen R. Jackson, L'87, is a partner with the Norfolk firm of Willcox & Savage. He is serving his second term on the national board of directors for the Federal Bar Association. He also serves as fourth circuit vice president and chairman of the circuit vice presidents. He lives in Suffolk, Va., with his wife, Courtney, and his daughter, Anne.

Michael George Phelan, L'87, has been named to the *Best Lawyers in America* and *Virginia Super Lawyers*. A partner at Butler Williams & Skilling in Richmond, he is chairman of the board of Northstar Academy and a board member of the Commonwealth Community Trust.

Jimese Pendergraft Sherrill, L'87, is deputy commissioner with the Virginia

Worker's Compensation Commission in Manassas, Va.

Stanley P. Wellman, L'87, is president of the Virginia Association of Defense Attorneys. He is a founding partner in the Richmond firm Harman Claytor Corrigan & Wellman.

David A. Garrison, L'89, is serving a second term as president of the board of directors of the Volunteer English Program in Chester County, Pa. He is an attorney with the West Chester, Pa., firm of Gawthrop Greenwood, and has been a member of the VEP board since 2002. The VEP serves the growing population of adult immigrants and refugees in the Philadelphia area with tutoring in English language skills and American culture.

Save the date!

On October 15 and 16, the Law School will host its annual Law Weekend. This is the reunion year for the classes ending in '4' and '9.' Join us!

1990s

Stephanie E. Grana, W'90 and L'93, is parliamentarian of the Virginia Trial Lawyers Association. Grana is with the firm Cantor Arkema in Richmond.

Steve Adkins, L'91, is a partner in the intellectual property group at Orrick, Herrington & Sutliff in New York City.

George L. Hiller, L'91, is an adjunct professor at the University's School of Continuing Studies. He was recently awarded a QUEST Grant from the University to develop a new study-in-Mexico program for adult degree-seeking students.

Lisa F. Clement, L'92, is secretary of the Virginia Association of Defense Attorneys.

Cathleen Kailani Memmer, L'92, of Guynn, Memmer & Dillon in Roanoke,

Va., was inducted as a fellow in the Virginia Law Foundation at the group's annual meeting Jan. 22.

Adriaen M. Morse Jr., L'95, is a partner with LeClairRyan. He practices in the firm's securities enforcement defense and financial litigation services section.

Dax A. Olsner, L'96, is a financial advisor for Smith Barney in Boca Raton, Fla.

Elizabeth C. Trahos, W'94 and L'97, is among 53 Smith Moore Leatherwood attorneys included in *The Best Lawyers in America*. She was recognized for her work in land use and zoning law.

Turner A. Broughton, L'98, is chair of the Virginia Bar Association's Young Lawyers Division. Broughton is a partner in the litigation section at Williams Mullen in Richmond.

Jerr Rosenbaum, L'98, is chief of staff to U.S. Rep. Jack Kingston of Georgia. He previously served as chief of staff to U.S. Rep. Virgil H. Goode Jr. of Virginia.

Ian Wexler, L'98, a lieutenant commander and judge advocate in the U.S. Navy, has published "A Comfortable Sofa: The Need for an Equitable Criminal Jurisdiction Agreement with Iraq," in the *Naval Law Review*.

John P. Cunningham, L'99, is an attorney at Baker & McKenzie in Washington, D.C.

Henry I. Willett III, L'99, is chair-elect of the Virginia Bar Association's Young Lawyers Division. Willett is a partner with Christian & Barton in Richmond where he serves on the firm's recruiting and client development committees.

2000s

Julien Bourgeois, L'00, and **Jacqueline Fields Bourgeois, L'00 and GB'00**, welcomed their first child, a daughter, Clementine, in the spring of 2008. Julien is a partner in the financial services group at Dechert LLP, in Washington, D.C., and Jacqueline is a senior associate in the real estate development group of Womble Carlyle Sandridge and Rice in Washington, D.C.

Brandon Elledge, L'00, is a partner at Holland & Knight in Northern Virginia. He is a member of the firm's litigation section, concentrating on employment and commercial litigation matters.

Lisa Taylor Hudson, L'00, an attorney at Sands Anderson Marks & Miller, is president of Horses in Service, Sandston/Henrico.

Jesse F. Narron, L'00, is an officer with PennStuart in Richmond. His practice focuses on insurance defense litigation and representation of employers and insurers before the Virginia Workers' Compensation Commission.

Damian Santomauro, L'00, is a director in the business and commercial litigation section of Gibbons in Newark, N.J.

Leigh Taylor, L'00, is chair of the pre-law advisory committee for Phi Alpha Delta Law Fraternity International, and is the pre-law president of Phi Alpha Delta's District XXIV, which includes the University of Richmond, William & Mary, U.Va., and Hampton University.

Marisa Terrenzi, L'00, is a partner at Holland & Knight in Northern Virginia. She is a member of the firm's business section, where she focuses on business and corporate law, with an emphasis on venture capital transactions, mergers and acquisitions, and general corporate matters.

Grover Baxley, L'01, and his wife, **Justyn Ann Pieper Baxley, L'02**, welcomed Maren Emilienne on Feb. 21, 2008. She joined big sister, Nielsen Hamel, born July 30, 2005. The couple has formed JAG Defense, a firm specializing in military and security clearance law.

Julie Childress, L'01, and **Caroline Davis, L'02**, have started Davis Childress in Richmond.

Flora Townes Hezel, L'01, is an associate at The Rack Law Firm. Her practice focuses on tax compliance and controversies, estate litigation, and advanced estate planning.

Phil Landau, L'01, is a shareholder in the Fort Lauderdale, Fla., office of Akerman

Senterfitt. He practices bankruptcy and creditors' rights law.

Mary Katherine McGetrick, L'01, is a partner in the Richmond office of Williams Mullen.

Jayne A. Pemberton, L'01, is vice president and an officer of the Metropolitan Richmond Women's Bar Association. An attorney with Sands Anderson Marks & Miller, she is a member of the firm's risk management practice group and handles premises liability and other tort defense.

Christine N. Piersall, L'01, is a partner with Williams Mullen in Portsmouth, Va.

Dean C. Marcus, L'01, of Marks & Harrison in Richmond, is vice president of the Richmond Criminal Bar Association.

Daren W. Bentley, L'02, is a principal with Clement & Wheatley in Danville, Va. In addition to his practice, which focuses on bankruptcy law, creditors' rights, and general civil litigation, he serves on the board of directors of Kiwanis Club of Danville, and is active with Big Brothers and Big Sisters of Danville Area Inc.

Ashton Jennette Harris, L'02, and **Andrew Christopher Harris, L'05**, welcomed a daughter, Virginia Mowbray, on Dec. 16, 2008. Ashton is an associate with Hunton & Williams. Andrew is an associate with Cawthorn, Picard, Rowe, Deskevich & Gavin.

Dale G. Mullen, L'02, is the county attorney for Louisa County, Va.

Tucker "Tuck" C. Shumack, L'02, and his wife, Kristine, welcomed Tucker Shumack Jr. on Aug. 18, 2008. An attorney with Capitol Counsel in Washington, D.C., Shumack has a legislative practice focusing on tax issues before Congress.

Robert W. Gillikin II, L'03, joined Rutter Mills LLP in Norfolk. He will focus on Social Security disability issues. The firm also includes **C. Arthur "Brother" Rutter III, L'94**, and **W. Everett Lupton, L'00**.

ALUMNI PROFILE

Making an impact on youth



Marilynn C. Goss, L'82

Judge Marilynn C. Goss goes to work in the Oliver Hill Courts Building in Richmond. The place offers a daily reminder of the legacy she follows while she works to help troubled youngsters onto a straight path.

As a young woman just out of Marshall University, Goss worked as a secretary for Hill, a leader of the Civil Rights movement and a nationally recognized figure in the law. She went on to teach reading in Amelia County, Va. With Hill as inspiration, she took her interests in young people and the law, and enrolled in the ABA's Council on Legal Education Opportunity program, which encourages minority and low-income students to enroll in law school. She came home to Richmond.

Today, Goss is presiding judge for Richmond's Juvenile Drug Treatment Court and a judge in the city's Juvenile and Domestic Relations Court. She deals daily with young people in trouble with drugs.

In May, Goss was named the 2009 recipient of the Tradition of Excellence Award by the Virginia State Bar's General Practice Section. The award recognizes more than a quarter century of practice representing Virginia's indigent as an attorney for the Central Virginia Legal Aid Society before she went on the bench in 2008.

Since her arrival on the bench, Goss says she has been surprised to learn that many of the young drug offenders who appeared before her were using hard drugs such as cocaine and heroin.

"I expected to find they were experimenting with marijuana. I've been amazed to find out these teenagers do the full scope of drugs," Goss says.

Participants in the juvenile drug court program are between the ages 12 to 17. They often have criminal histories that go beyond drug offenses, though drugs frequently played a role there, too.

Goss is involved in child custody hearings, delinquency cases, and oversight of drug treatment programs. The judge may impose strict curfews and electronic monitoring on offenders. She also comes up with creative approaches "to getting them thinking," she says. For example, she required one youth to write a report on President Barack Obama.

A collaborative effort, the drug court also involves guardian ad litem, public defenders, prosecutors, clinicians, and social workers.

"The bottom line," she says, "is that we're getting them in the drug court program with the understanding that they're going to live drug free. It requires a lot of work." The program typically lasts a year, though it can stretch as long as 18 months.

Goss believes she is making an impact: "Two kids of mine have been clean for 242 days. We do have some success stories."

By Richard Foster

Meredith W. Sanderlin, '94 and L'03, and **Alex W. Thrower, R'90**, were married on Jan. 19, 2008, in Richmond. Included in the wedding party were **Elaine Sanderlin Ryan, L'09**; Amy Kahler Stuart, '94; Laura Yeatts Thomson, '94; **Kelley Wynne, L'03**; Tucker J. Greer, R'90; Tom B. Throckmorton, R'90; John D. Waite, R'90; and Susy Brickman Greer, W'89. Meredith and Alex had a son, John Godfrey, on Jan. 11, 2009. Meredith is an associate with McGuireWoods and Alex is a policy analyst with the Department of Energy in Washington, D.C. The family lives in Richmond.

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Lee Dilly Wedekind III, L'03, and his wife, Suzanne, have a daughter, Mary Bullock, born Oct. 22, 2008. He continues to practice in the area of real property litigation with Smith Hulsey & Busey in Jacksonville, Fla.

Cassandra Peters Emery, L'04, was chosen this March to head the YWCA of Richmond, a nonprofit organization with a long history of helping women, children, and families. The YWCA provides preschool programs, and services to victims of domestic and sexual violence. Emery worked

previously with the Greater Richmond Chamber of Commerce. She then formed her own public affairs and public relations firm. As a result of the economic downturn, Emery anticipates an increasing demand for the YWCA's services at a time when fundraising proves challenging. A Richmond native, Emery also holds a master's degree in public administration from Virginia Commonwealth University.

Brian J. Teague, L'04, is a shareholder in the Richmond intellectual property firm of Thomas & Raring.

P. Kristen Bennett, L'04, has joined the business group of Potter Anderson & Corroon in Wilmington, Del.

Joshua N. Cook, L'04, was married to Melinda Drozd on July 1, 2006. He is an associate in the litigation department at Burns & Levinson in Boston. His specialty is securities litigation.

Dana A. Dews, L'05, is a member of the labor and employment, healthcare, and litigation departments of Christian & Barton.

Sam Haisley, L'05, is a director with McCandlish Holton in Richmond. His practice focuses on business law and commercial real estate, with an emphasis on medical campus development.

Anmol "Jay" Khosla, L'05, is senior health counsel to Sen. Orrin Hatch, R-Utah.

Sean S. Kumar, L'05, is chairman of the Alexandria, Va., Transportation Commission.

Matthew S. Reinaker, '02, L'05 and GB'06, has joined the Irvin Law Firm as an associate specializing in commercial real estate, estate planning, and small business issues.

Jeremy Sarnovsky, L'05, of Arlington, Va., is manager of information systems and technology contracts at Georgetown University.

Laura K. Marston, L'06, has joined Williams Mullen in the firm's Virginia Beach office. Her practice focuses on

commercial litigation matters, and labor and employment.

Robin A. McVoy, L'07, is co-chair of the public service committee of the Metropolitan Richmond Women's Bar Association. An attorney with Sands Anderson Marks & Miller, she is a member of the firm's healthcare practice group and defends medical professionals before regulatory bodies and in malpractice litigation.

Sandra Park, L'07, is an associate in the business and securities litigation department at McGuireWoods.

Brian Stark, L'07, is an associate with McGuireWoods.

David G. Boyce, L'08, joined the Virginia Beach office of Williams Mullen. He focuses on commercial litigation.

J. Kyle Farmer, L'08, is an associate in the Charlottesville, Va., office of Martin & Raynor. He practices in the areas of family law and civil litigation.

G. Tayloe Gwathmey III, L'08, has joined Williams Mullen in the firm's Virginia Beach office. He represents commercial banks and other financial institutions.

Sara Lloyd Hendon, L'08, is an attorney with Christian & Barton. She is a member of the firm's healthcare and business organizations and corporations practice areas.

Carl J. Peterson, L'08, has a general corporate and business law practice at Williams Mullen in Norfolk, Va.

Christopher Rathlev, R'05 and L'08, is an associate in the litigation practice group of Jones, Bechman, Woltz & Kelly in Newport News, Va.

IN MEMORIAM

C. Berkley Lilly, L'47
January 10, 2009

W.D. Dixon, L'48
January 21, 2006

Alvin Raymond Young, L'51
December 1, 2008

Clarence M. Connor Jr., L'56
November 6, 2008

Dueward H. Scott Jr., L'56
February 11, 2009

James Christopher McIvor, L'61
April 15, 2008

E. Carter Nettles Jr., L'62
December 25, 2008

Charles W. Beddow, L'65
December 13, 2008

Frederick C. Fagan, L'70
December 27, 2008

John J. Ambler Jr., L'72
December 14, 2008



COMMENCEMENT 2009

The 155 members of the Law School's Class of 2009 marched to commencement in May, with family, friends and faculty on hand for the celebration. Speaker Rick Klau, L'96, whose law school experience led to a career at Google, encouraged the graduates to let passion and innovation guide them. (See story, page 2.)



(Clockwise from top left) Wyatt J. Taylor, Christopher G. Findlater, Elaine S. Ryan, and Charlotte V. Bateman, receiving her diploma from Dean Douglass and her brother, Capt. John C. Bateman, L'o8. A third family member, John's wife, Eva, also was among the graduates.



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Celebrating UR Downtown

The University opened its downtown campus in March with a crowd of local, state and bar leaders. The Law School's family law clinic and pro bono center are based at the Broad Street campus. Among those attending were (from left) Doug Hicks of the Bonner Center for Civic Engagement, Richmond Mayor Dwight C. Jones, Virginia First Lady Anne Holton, University President Ed Ayers, and Dean John G. Douglass.